

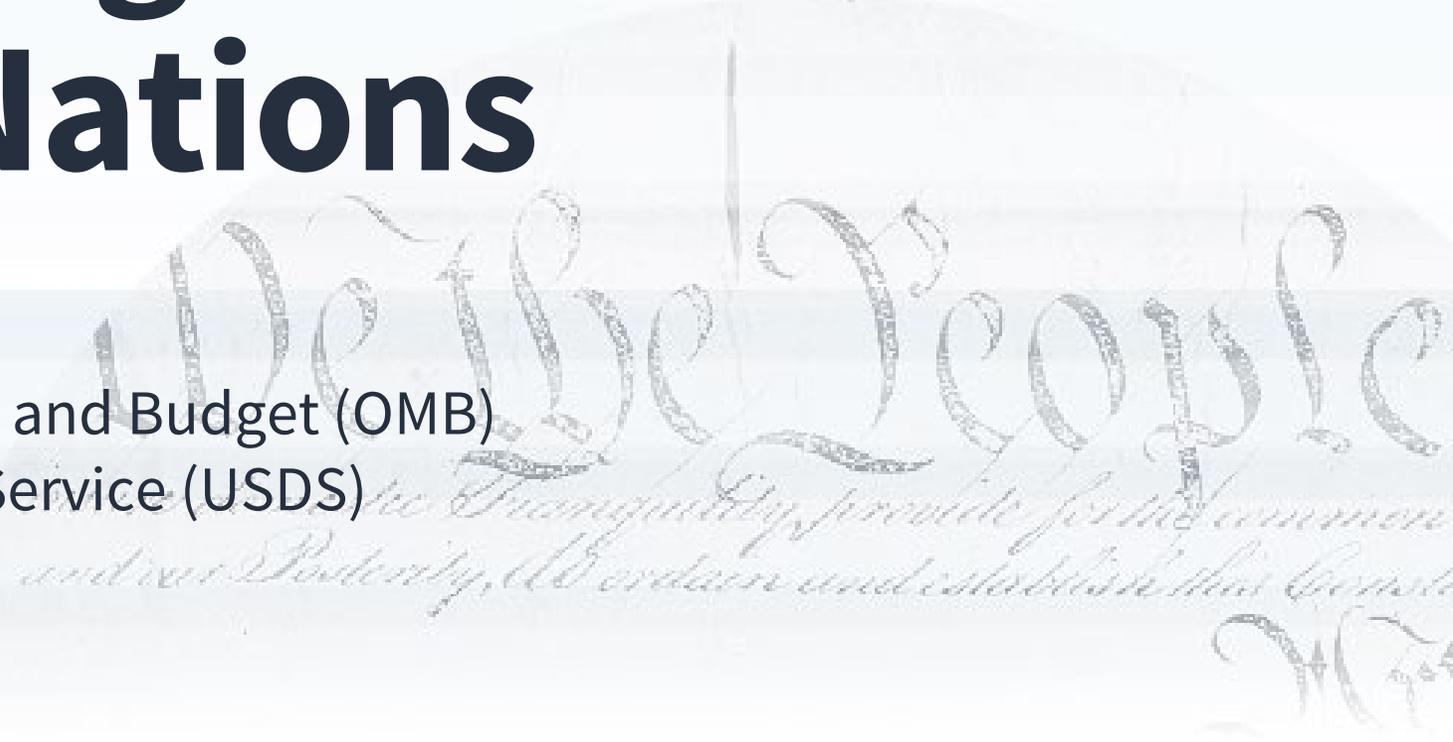


DISCOVERY PROJECT

Accessing Grants for Tribal Nations

Office of Management and Budget (OMB)
United States Digital Service (USDS)

November 2022



Executive Summary

- From January to March 2022, members from OMB's Customer Experience team and the U.S. Digital Service conducted a three-month discovery sprint research project to understand Tribal Nations' experiences and challenges in accessing Federal grants.
- The research team worked closely with the Senior Advisor on Tribal Affairs from the Domestic Policy Council (DPC), the Interagency Policy Council (IPC) on Support for Tribes related to ARPA and IJA.
- A core output was to provide direct Tribal perspectives to develop opportunity areas to streamline processes and reduce administrative burdens on Tribal government customers.
- The team conducted interviews with a limited sampling of Tribes, selected based on the project subject matter focus and diversity of representation.
- The findings in this report are indicative and not representative of all Tribes, regions, and experiences.
- Translating findings into service design, policy, or statutory changes was not in scope for this Discovery Sprint.

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Tribal Context

Tribal Nations are Sophisticated and Modern Sovereign Nations

- Tribal Nations can be leading drivers in economic development, climate change initiatives, as well as many other sectors
- Currently, there are 574 Federally-recognized Tribes*
- 6.7 million people; 56.2 million acres of land
- Long and complicated history between Tribal Nations and the Federal government
- Deep disparities and equity measures, such as health and employment, as a result of historic Federal policies

*<https://www.bia.gov/service/tribal-leaders-directory>

Federal Trust Responsibility

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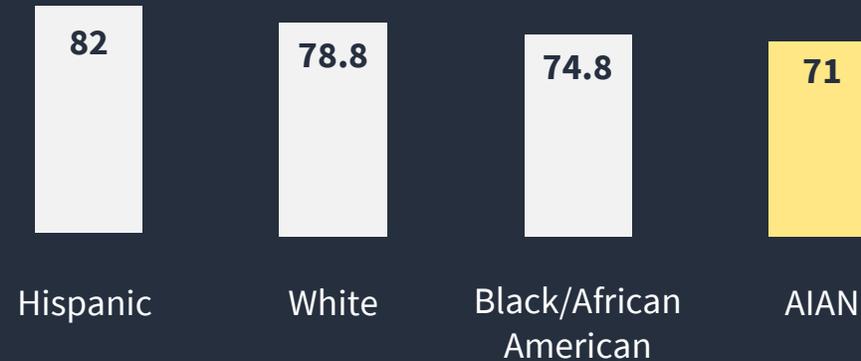
The purpose behind the trust doctrine is and always has been to ensure the survival and welfare of Indian Tribes and people. This includes an **obligation to provide** those services required to protect and enhance Tribal lands, resources, and self-government.

- American Indian Policy Review Commission, Senate 1977

Evidence of Disparities

7.7 years less in life expectancy for American Indian and Alaskan Natives (AIAN) than white Americans (2021)

<https://stacks.cdc.gov/view/cdc/110370>



11.1% unemployment rate for AIAN, compared to **4.0%** for the overall population (2022)

<https://blogs.bls.gov/blog/2022/02/14/bls-now-publishing-monthly-data-for-american-indians-and-alaska-natives/>

2.5 times higher COVID-19 mortality rate for AIAN than white Americans (2021)

<https://www.brookings.edu/research/american-indians-and-alaska-natives-are-dying-of-covid-19-at-shocking-rates/>

Discovery Project and Approach

Impetus for Discovery

This work originates from an Executive Order aimed at improving customer experiences with government services and feedback received during OMB's inaugural Tribal consultations, held in 2021.



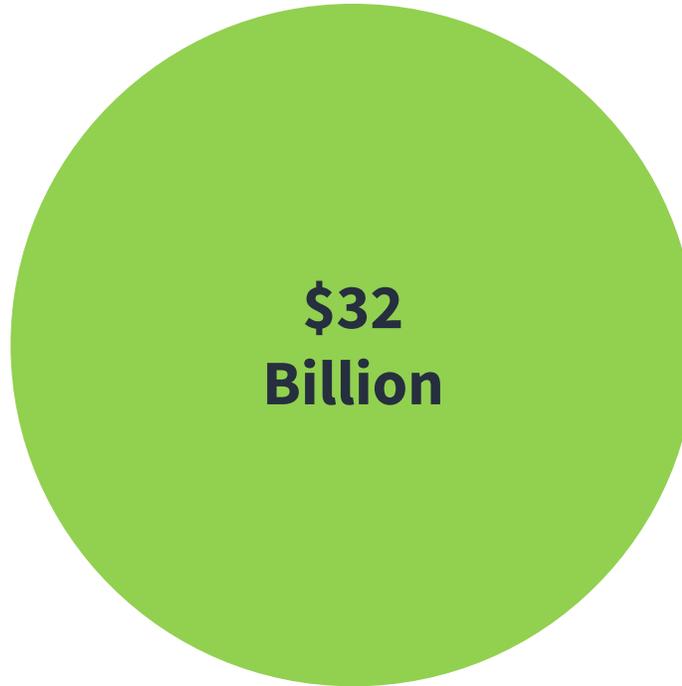
President Biden signing **Executive Order 14058**
*on Transforming Federal Customer Experience and
Service Delivery to Rebuild Trust in Government.*

Historic Levels of Funding for Tribes



Coronavirus Aid, Relief, and
Economic Security Act (2020)

[Source: DOI.gov](https://www.doi.gov)



American Rescue
Plan Act (2021)

[Source: Whitehouse Fact Sheet](https://www.whitehouse.gov)



Infrastructure Investment
and Jobs Act (2021)

[Source: DOI.gov](https://www.doi.gov)

Research Framing Problem Statement

Based on initial desk research and early conversations with subject matter experts, the research team framed a challenge space to explore.

Accessing and managing grants for some Tribes can be confusing, siloed, complicated, and can overwhelm applicant and Federal capacities. The influx of funding from CARES, ARP, and IIJA is exacerbating this issue during a moment of historic opportunity.

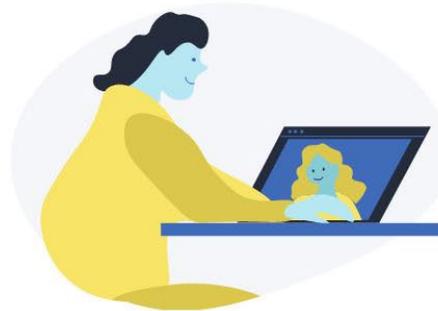
As a use case to explore this further, the team focused on the experience of completing broadband grant applications.

Human Centered Design Research Methodology

Desk Research



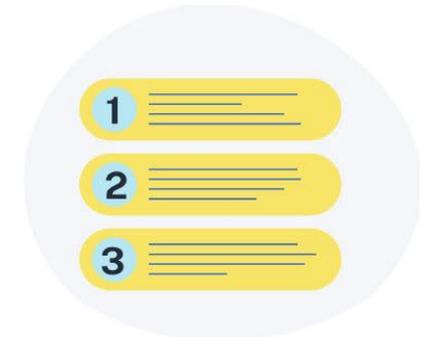
Semi-Structured
Interviews



Synthesis



Share findings to
illuminate challenges



Collaborative
Research Team



US BY THE PEOPLE
FOR THE PEOPLE
WITH THE PEOPLE



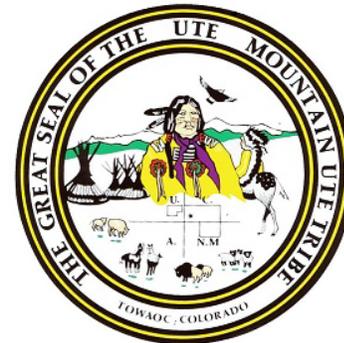
LAB OPM

Semi-Structured Interviews: People at the Center of the Research



**Member of the Coeur d'Alene Tribe,
Grant Writer, Broadband Advocate**

She has applied for and won broadband funding in the past. Despite this past success, she still describes working on the latest funding process as “tortuous”. She understands in-depth how time-intensive and costly the grant process can be.



**Member of the Ute Mountain
Tribe, Director of Planning +
Development**

Her Tribe has won part of the funding they need to implement broadband and is applying for additional grants to bring the work to the finish line. Her vision of a better grant process is one where each agency has a direct relationship with Tribes and understands its context.



**Member of the Oglala Sioux Tribe,
Tribal Economic Development
Representative at U.S. Department
of Commerce**

He previously worked for a Tribe and now is on the Federal side, helping to foster relationships and build bridges with Tribal governments. His focus is on bringing a new sense of trust and cultural understanding to those he works with.

Who We Spoke With (January to March 2022)

16 Tribal Stakeholders



28 Federal Stakeholders*

* 8 are also members of Tribes



Synthesis

BARRIER 1

1 Some tribes perceive that the tribal funding approach falls short of the Federal trust responsibility

BARRIER 1.1
Aspects of the process break down trust
Tribes feel the grants process involves a lack of cultural awareness, trust, and respect for self-determination.

BARRIER 1.2
Lack of standardization and coordination prevents the government from effectively measuring implementation of trust obligations.
Already overextended tribes are overloaded with grant requirements. The lack of standardization across programs prevents tribes from streamlining their workflows. The deluge of opportunities through CARES, ARPA, and IJA amplify these challenges.

FINDINGS

Federal grant policy and process often does not reflect a nation-to-nation relationship

- What does self-determination look like in practice?
- When are tribes asked to provide information?
- How are tribes consulted in the process?
- There are treaties but grant requirements don't reflect them.
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- The nation-to-nation relationship is not reflected in the grant process.

Created for states, tribes lumped in as an after-thought

- Grants are designed for states, not tribes.

Grants ask for justification of need and rely on sources outside of tribe-reported data (e.g. Census, FCC)

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Application timelines don't account for internal tribal processes and approval

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Information overload (Tribes overwhelmed with consultation and training events)

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Small / local engagements are appreciated and build trust

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FEDERAL ↔ TRIBAL RELATIONSHIP

BARRIER 1
Some tribes perceive that the tribal funding approach falls short of the Federal trust responsibility.

BARRIER 1.1
Aspects of the process break down trust

BARRIER 1.2
Lack of standardization and coordination prevents the government from effectively measuring implementation of trust obligations.

BARRIER 1.3
Lack of ability to fully meet Tribal Nations demand of Federal Trust responsibility

BARRIER 1.4
Being an estate to administer tribal funding is costly to Federal trust obligations.

STRUCTURAL BARRIERS

BARRIER 2
Aspects of the Federal grant structure present tribes from accessing and maximizing critical funding.

BARRIER 2.1
Grant eligibility criteria excludes some tribal entities

BARRIER 2.2
Grants with matching requirements are prohibitive

BARRIER 2.3
Allow grant recipients to utilize their respective trust cost share

UNDUE BURDEN

BARRIER 3
The administrative burden throughout the grant lifecycle overwhelms tribal capacities.

BARRIER 3.1
Tribes experience burden at every stage of the process

BARRIER 3.2
The specific costs by the burdensome process disproportionately impacts low-capacity tribes

FINDINGS

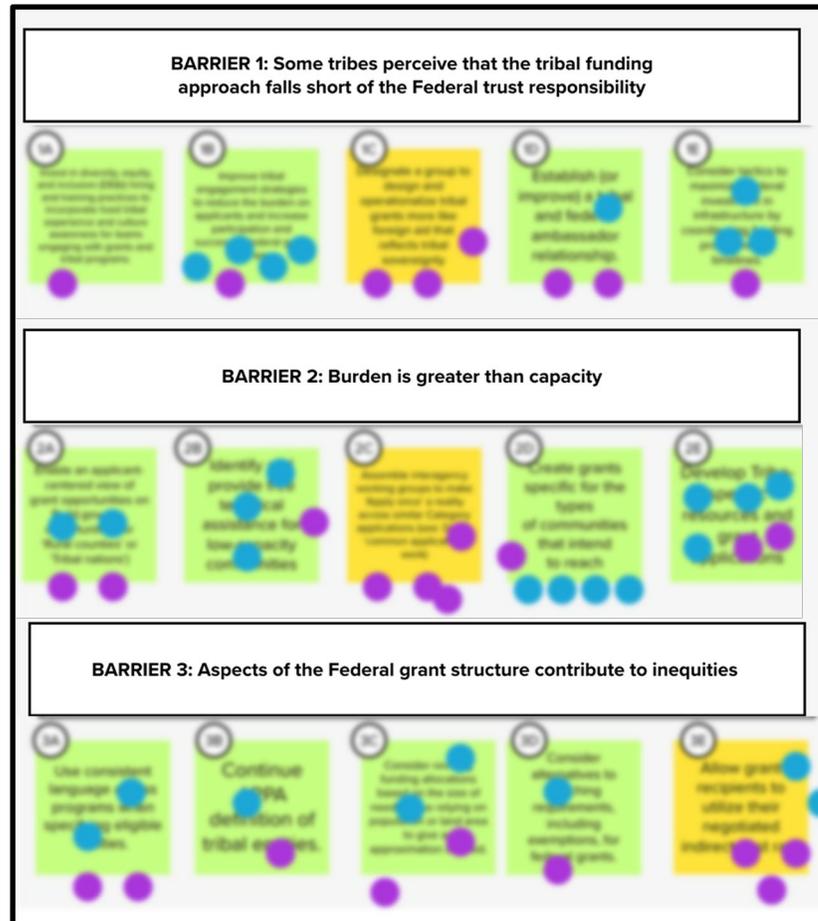
Information overload (Tribes overwhelmed with consultation and training events)

Too much noise
Multiple channels for outreach makes it challenging to navigate

Small / local engagements are appreciated and build trust

Starting with raw data from interviews, we organized what we learned into themes. Themes describe patterns in participant feedback and our observations. These themes form the basis for cross-cutting barriers in the grants process.

Share Findings



After synthesizing trends across interviews, and grounded in what we learned from research, we held a workshop with Federal stakeholders (several of whom are also Tribal members) to refine barriers and opportunity areas that we heard.

Customer Experience Research Findings

The findings in this report are grounded in research with Tribal members, subject matter experts, and desk research. The aggregate findings are indicative and not representative of all Tribes, regions, and experiences.

Administrative Burden and Capacity

- *Administrative burden* is the effort and time to handle hurdles like confusing paperwork and complex regulations that introduce delay and frustration into experiences with government agencies.
- *Capacity* refers to the total number of people, money, and resources Tribes can bring to bear on this process. “Resources” can include elements like software, technical skillsets, and access to tacit knowledge.

| Low-Capacity Tribe | High-Capacity Tribe |
|--|--|
| <ul style="list-style-type: none">• No grant-specific workers on staff• Choose not to apply for certain grants to preserve time and funds for other needs• Experience delays during application review to meet agency requirements | <ul style="list-style-type: none">• Have a single grant writer on staff• Skills supplemented by consultants for highly technical applications• Experience constant rush to meet deadlines and requirements• Hire lobbyists to learn about and lobby for funding• Hire grant experts to identify relevant grants• Utilize in-house grant writers to develop applications and manage reporting• Bring on consultants as needed |

1

Some requirements of Federal grants prevent *some Tribes from accessing and maximizing critical funding.

Sub-Barrier 1.1

Grant eligibility criteria excludes some Tribal entities.

Sub-Barrier 1.2

Grants with matching requirements can be prohibitive.

Sub-Barrier 1.3

Low administrative or indirect costs rates disadvantages low-capacity Tribes.

**The term 'some Tribes' indicates firsthand experience learned through the research but is not representative of all Tribes' experiences or perspectives.*

2

Administrative burden experienced throughout the grant lifecycle overwhelms some Tribal capacities.

Sub-Barrier 2.1

Some Tribes experience burden at every stage of the grant process.

Sub-Barrier 2.2

The inequities caused by the burdensome process disadvantage low-capacity Tribes.

3

Some Tribes perceive that the Tribal funding approach falls short of the general Federal trust responsibility.

Sub-Barrier 3.1

Aspects of the grants process break down some Tribes' trust in the government.

Sub-Barrier 3.2

A lack of standardization and coordination prevents the government from effectively measuring implementation of trust obligations.

Sub-Barrier 3.3

There is a lack of capital to fully meet Tribal Nation's needs and the general Federal trust obligation.

Sub-Barrier 3.4

Relying on states to administer Tribal funding is counter to general Federal trust obligations.

A key for reading the barriers

Research Findings

Aggregation of themes
and observations
across participant
interviews and desk
research



Icon denotes a finding
sourced from the research

Direct Quotes

Some participants
gave explicit consent
to allow attribution
for their stories and
images



Icon denotes a direct
participant quote

Some requirements of Federal grants can prevent some Tribes from accessing and maximizing critical funding.

Sub-Barrier 1.1

Grant eligibility criteria excludes some Tribal entities.

Sub-Barrier 1.2

Grants with matching requirements can be prohibitive.

Sub-Barrier 1.3

Low administrative or indirect costs rates disadvantages low-capacity Tribes.

 Grant Structure

 Barrier 2

 Barrier 3

1.1 Grant eligibility criteria excludes some Tribal entities.

Some Tribal leaders feel excluded from obtaining the money they need based on eligibility definitions that do not match the reality of their needs (e.g., land-poor Tribes).

“The money is there, it’s the rules around financial feasibility, match requirements, Tribal [reservation] lands requirements, [and] the definition of Tribal lands [that] are barriers.”

— Tribal Consultant



WHAT PARTICIPANTS TOLD US

1.2 Grants with matching requirements can be prohibitive.

Grants with matching requirements inevitably exclude some Tribes already struggling to meet the needs of their people.

“Because not all Tribes have a tax base or consistent revenue, pulling together additional funds if they receive a partially-matched grant is a challenge.”

—Federal Program and Policy Specialist



WHAT PARTICIPANTS TOLD US

Supporting research findings

As an example of a positive intervention, USDA ReConnect grant used to be 25% match, which USDA removed so Tribes could participate.

**This example is often not possible due to statutory requirements. Consider it when match is not statutorily required.*

Lost Revenue Funds (including up to \$10 million standard allowance for Tribes) may be used as a non-Federal match, with certain exceptions, under the State and Local Fiscal Recovery Fund



INSIGHTS FROM THE RESEARCH

 Grant Structure

 Barrier 2

 Barrier 3

1.3 Low administrative or indirect costs rates disadvantages low-capacity Tribes.

Some Federal grants limit the amount of funding spent on administrative or indirect expenses. This restriction creates difficulties for low-capacity Tribes without the economies of scale to spread those costs over multiple projects or departments.

Supporting research findings

Restrictive definitions of administrative cost causes confusion so that Federal workers spend more time correcting applications (e.g., ~75% cure rate with NTIA ARPA grants)



INSIGHTS FROM THE RESEARCH

“If you’re barely meeting the needs of your community, you don’t have the money to plan a network that you don’t know if you’ll get funding for.”

— Inter-Tribal Advocacy Organization Member



WHAT PARTICIPANTS TOLD US

Administrative burden experienced throughout the grant lifecycle overwhelms some Tribal capacities.

Sub-Barrier 2.1

**Some Tribes experience
burden at every stage of
the grant process.**

Sub-Barrier 2.2

**The inequities caused by
the burdensome process
disadvantage low-capacity
Tribes.**



Barrier 1



Administrative
Burden



Barrier 3

2.1 Some Tribes experience burden at every stage of the grant process.

Tribes of all capacities struggle to sift through complex funding opportunities across multiple Federal agencies. While higher-capacity Tribes can afford to pass this administrative burden onto consultants and in-house grant teams, low-capacity Tribes experience that burden first-hand. For example, the team heard that applications are long, require robust data, have redundancies, and require a complex submission process.

“[The application process was] torturous. There were so many redundant questions, some of the questions were like ‘why does that matter?’ It hangs you up for days and it isn’t clear what the government wants to know.”

—Tribal Member, Grantee

“It feels like they’re doing everything they can to make it more challenging.”

—Tribal Member



WHAT PARTICIPANTS TOLD US



Barrier 1



Administrative
Burden



Barrier 3

2.2 The inequities caused by the burdensome process disadvantage low-capacity Tribes.

Low-capacity Tribes have the most significant funding needs but do not have the resources to compete against higher-resourced Tribes. Formula funds that favor those with large numbers of employees and steady revenue streams contribute to this disparity. For example, the team heard that some applications require projects to be ‘shovel ready’, but this is beyond the capacity of many Tribes.

“You’ll see it’s the wealthiest Tribes [who have successful grants] because they can afford the grant writers. The Tribes that have lower capacity don’t have the resources to hire experts.”

— Tribal member

“I am the lone grant writer for the Tribe. At any time, I could be doing 2-3 proposals. It’s pretty hectic.”

— Tribal Member



WHAT PARTICIPANTS TOLD US

Some Tribes perceive that the Tribal funding approach falls short of the general Federal trust responsibility.

Sub-Barrier 3.1

Aspects of the grants process break down some Tribes' trust in the government.

Sub-Barrier 3.2

A lack of standardization and coordination prevents the government from effectively measuring implementation of trust obligations.

Sub-Barrier 3.3

There is a lack of capital to fully meet Tribal Nation's needs and the general Federal trust obligation.

Sub-Barrier 3.4

Relying on states to administer Tribal funding is counter to general Federal trust obligations.

- Barrier 1
- Barrier 2
- Federal Trust Responsibility

3.1 Aspects of the grants process break down some Tribes' trust in the government.

Some Tribes feel that Federal grants can lack cultural awareness, understanding of need, and advancement of self-determination.

Supporting research finding

Application requirements rely on sources outside of Tribe-reported data (e.g. Census data, FCC maps) in order to justify need.



INSIGHTS FROM THE RESEARCH

“It is a government-to-government relationship. Some people would go further and say that so much aid is given to foreign countries, and there should be something similar for Tribes.”

— Tribal Member, Grantee



WHAT PARTICIPANTS TOLD US



Barrier 1



Barrier 2



Federal Trust
Responsibility

3.2 A lack of standardization and coordination prevents the government from effectively measuring implementation of trust obligations.

Because funding is siloed by program, the government struggles to have a cohesive understanding of Tribes' needs and the success of their programs. In turn, differing requirements across programs create an additional burden for Tribes.

“If all the [broadband] funding could be put under one program for Indian Country...it would be a lot simpler.”

— Tribal Leader (during a broadband consultation)

“Non-Federal entities are often required to prepare agency-specific forms...Timelines, workflow documents, budgets, logic models and abstracts all differ unnecessarily.”

— Federal Grant Officer / Tribal Liaison



WHAT PARTICIPANTS TOLD US



Barrier 1



Barrier 2



Federal Trust
Responsibility

3.3 There is a lack of capital to fully meet Tribal Nation’s needs and the general Federal trust obligation.

Despite unprecedented amounts of funding under CARES, ARPA, and IIJA, recurring funding is not increasing commensurate with the number of Federally-recognized Tribes. It is common for in-demand grants to be over-subscribed.

“Grants are a lifeline for a lot of [Tribal] government departments but it’s not enough.”

— Tribal Member, Grantee



WHAT PARTICIPANTS TOLD US

Supporting research finding

The U.S. Department of Commerce’s National Telecommunications and Information Administration (NTIA) allocated \$980 million in grants for the Tribal Broadband Connectivity Program; however, NTIA received application requests totaling over \$5B in need.



INSIGHTS FROM THE RESEARCH



Barrier 1



Barrier 2



Federal Trust Responsibility

3.4 Relying on states to administer Tribal funding is counter to general Federal trust obligations.

When states control funding opportunities, some Tribes feel de-prioritized and are forced to compete with better-resourced applicants.

“In our state, Tribes are small populations so we’re not part of the State leadership’s considerations.”

— Tribal Member, Grantee



WHAT PARTICIPANTS TOLD US

Supporting research findings

Some Tribes feel state-administered funds undermine their Nation-to-Nation relationship with the Federal government.

Some Tribes are overlooked by their state for funding.

Some Tribes are often not competitive against municipalities with more capacity.



INSIGHTS FROM THE RESEARCH

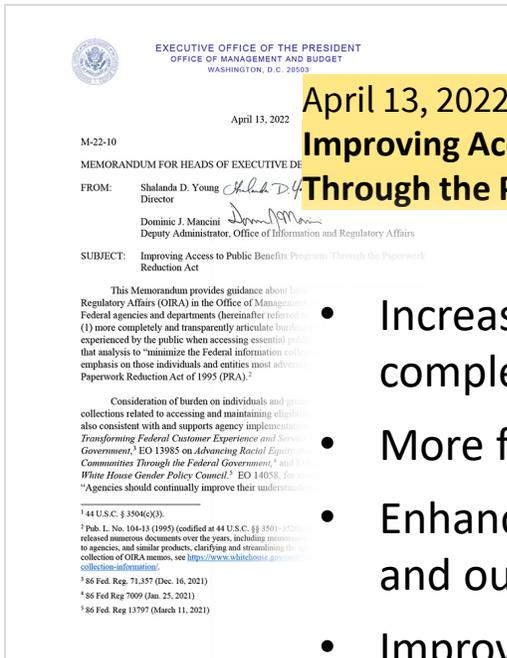
Appendix

Build on Existing Work

Build on work already underway across the Federal government, including current work related to [ARP implementation](#), [IJA implementation](#), [GREAT Act implementation](#), [Section Five Pilot \(DATA Act\)](#), [Justice 40](#), [HHS QSMO RUX Pilot](#), [10x Tribal Engagement Framework](#)

Create an archive of Tribal engagement/feedback shared with the Federal government so that future projects can build upon one another and avoid asking Tribal Nations to repeat their insights

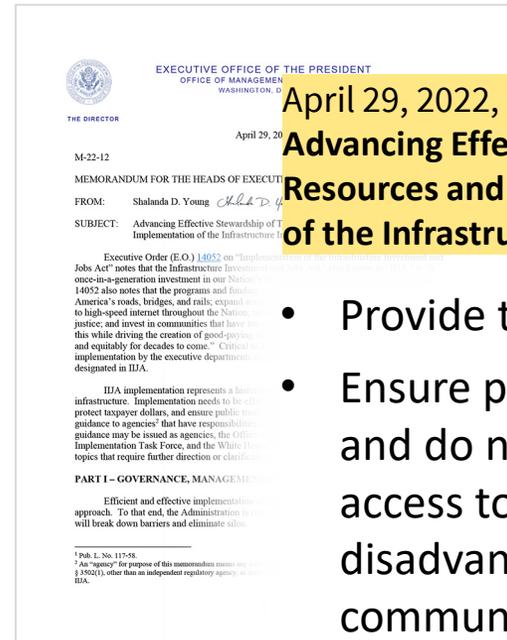
Recent Related OMB Guidance



April 13, 2022, M-22-10
Improving Access to Public Benefits Programs Through the Paperwork Reduction Act

- Increase the transparency and completeness of burden analyses
- More fully account for learning costs
- Enhance communication, navigation, and outreach tools and processes
- Improve information collection and submission processes to mitigate challenges that underserved and marginalized communities may disproportionately experience

<https://www.whitehouse.gov/wp-content/uploads/2022/04/M-22-10.pdf>



April 29, 2022, M-22-12
Advancing Effective Stewardship of Taxpayer Resources and Outcomes in the Implementation of the Infrastructure Investment and Jobs Act

- Provide technical assistance
- Ensure programs advance equity and do not unintentionally limit access to funding opportunities for disadvantaged or underserved communities.
- Agency Tribal liaisons should work with agency infrastructure implementation teams
- “Engage in robust and meaningful consultation with Tribal Nations”

<https://www.whitehouse.gov/wp-content/uploads/2022/04/M-22-12.pdf>

Resources

[Additional Coordination and Performance Measurement Needed for High-Speed Internet Access Programs on Tribal Lands](#), U.S. Government Accountability Office

[Broken Promises: Continuing Federal Funding Shortfall for Native Americans](#), U.S. Commission on Civil Rights

[National Tribal Broadband Strategy](#), Department of the Interior - Indian Affairs

[The Origins of our Trust Responsibility Towards the Tribes](#), Friends Committee on National Legislation

[Tribal Nations and the United States](#), National Congress of American Indians

[White House Tribal Nations Summit](#), U.S. Department of the Interior