

ROUTES TO RECOVERY

Program Guidance Addendum for Tribes

On June 19, 2020, the Department of Administration released [Program Guidance](#) on expense eligibility and administrative requirements for the Routes to Recovery: Local Government Aid Grants program (the “Program”). The Program Guidance expressly applied to cities, counties, towns, and villages, while noting that guidance specific to federally recognized tribes would be issued in a separate document.

This Addendum is that document. It extends the existing Program Guidance to tribes, subject to the modification noted below.

Addendum 1.1: Except as Noted Below, the Program Guidance Applies to Tribal Governments

The Program Guidance authorizes governments to submit for reimbursement the full range of eligible expenditures under federal law, subject to one categorical exception discussed in Addendum 1.2 below, and it describes federal requirements for recordkeeping and administration. Those federal requirements for the funds are applicable to tribes, as well.

Therefore, except as indicated below, the Program Guidance applies to tribes. The term “local government” in the Program Guidance should be read to include tribal governments, as well as city, county, town, and village governments.

Addendum 1.2: Tribal Sub-Award Programs

Section 2.7 of the Program Guidance restricts local governments from using Program funds to create sub-award programs of their own. It imposes that restriction because the state could not feasibly meet federally mandated oversight requirements if sub-award programs were broadly authorized for Wisconsin’s 1,800-plus local governments.

The state could feasibly meet those oversight obligations for Wisconsin’s 11 federally recognized tribes, however. Therefore, notwithstanding section 2.7 of the Program Guidance, tribes may establish sub-award programs with pre-approval from the Department of Administration. Pre-approval is needed because federal law and guidance impose several requirements on sub-award programs, including additional recordkeeping and monitoring, as well as award criteria tailored to meet needs arising from the pandemic.

A tribe interested in using Program funds for this purpose should notify the Department of Administration by emailing covidgovgrant@wisconsin.gov; the Department will follow up to discuss the proposed program and seek additional information. Approval is discretionary with the Department. To facilitate federal compliance, the Department may impose reporting requirements and modifications to a proposed program as a condition for approving it.