

American Rescue Plan – State Local Fiscal Recovery Funds

Eligibility of Recipients – US Treasury Final Rule May 17, 2021

GENERAL ELIGIBILITY & USE OF FUNDS – Impacted and Disproportionately Impacted Entities

A two-part framework – 1. Consider whether an economic harm exists caused or made worse by the pandemic. 2. Responses must also be related and reasonably proportional to the extent and type of harm experienced.

Type of Beneficiary

1) households, 2) small businesses (defined by SBA), 3) nonprofits, and 4) travel, tourism, hospitality, and other impacted industries (see NAICS List).

Eligibility Presumed

Recipients served in or reside in Qualified Census Tracts (see QCT Map) and/or in Low-Mod Income Households are presumed “Disproportionately Impacted”.

Ineligible Uses

For all recipients, funds may not be used for debt service or replenishing financial reserves.

Designation of Additional Entities as “Impacted” or Disproportionately Impacted”.

Designating Other Impacted Classes

Recipients may identify “classes” (households, communities--business districts, small businesses, nonprofits, or populations) that have experienced a disproportionate impact based on academic research or government research publications, through analysis of their own data, or through analysis of other existing data sources. To augment their analysis, or when quantitative data is not readily available, recipients may also consider qualitative research and sources like resident interviews or feedback from relevant state and local agencies, such as public health departments or social services departments. In both cases, recipients should consider the quality of the research, data, and applicability of analysis to their determination.

Designating Other Industries

To designate other industries, first define the industry via NAICS. Second, compare the industry impact to that of tourism, travel, and hospitality industries. 1. Simplified test. An industry is presumed to be “impacted” if the industry experienced employment loss of at least 8 percent. 2. If simplified test is not met, use other quantitative data (economic data, academic research), and if unavailable use qualitative data (interview, surveys).

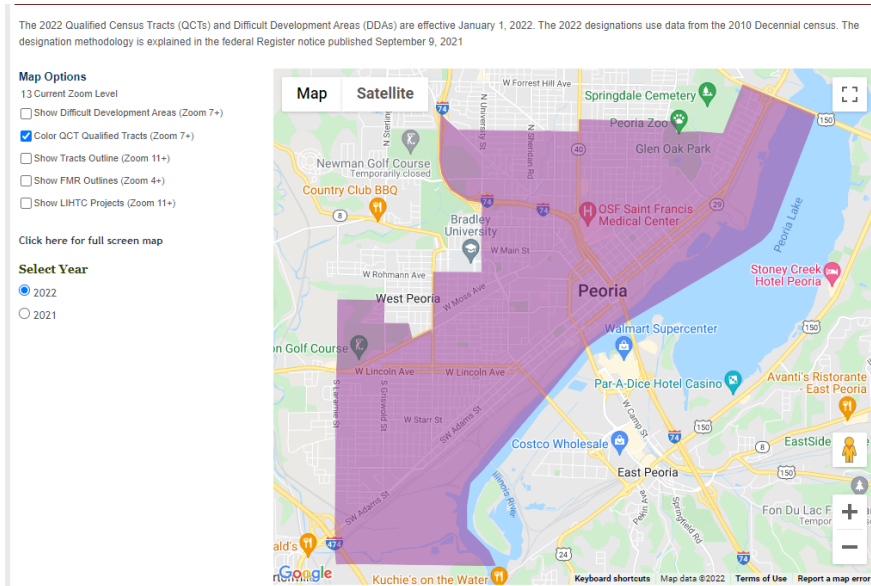
Designating Impacted Business Districts

As such, the final rule provides a broader set of enumerated eligible uses for disproportionately impacted small businesses and/or small businesses in disproportionately impacted business districts. Treasury agrees with commenters that high rates of vacant or abandoned properties in a neighborhood may exacerbate public health disparities. As such, certain services for vacant or abandoned properties are eligible to address the public health and negative economic impacts of the pandemic on disproportionately impacted households or communities. Eligible activities include rehabilitation, renovation, maintenance, or costs to secure vacant or abandoned properties to reduce their negative impact

DISPROPORTIONATELY IMPACT AREAS & INDUSTRIES

(Recipients within QCT and/or within Enumerated Industries)

DISPROPORTIONATELY IMPACTED AREAS*



* Please note – Qualified Census Tract as determined by HUD.

DISPROPORTIONATELY IMPACTED INDUSTRIES*

NAICS	NAICS Title	Common Keywords
13990	All Other Amusement and Recreation Industries	Amusement ride concession operators (i.e., supplying and servicing in others' facilities)
312120	Breweries	Beverages, beer, ale, and malt liquors, manufacturing
312130	Wineries	Beverages, wines and brandies, manufacturing
312140	Distilleries	Neutral spirit, beverages (except fruit), manufacturing
445299	All Other Specialty Food Stores	Specialty food stores
561510	Travel Agencies	Travel agencies
561520	Tour Operators	Travel tour operators
561591	Convention and Visitors Bureaus	Tourism bureaus
561599	All Other Travel Arrangement and Reservation Services	Motor travel clubs
611620	Sports and Recreation Instruction	Skiing instruction, camps, or schools
621340	Offices of Physical, Occupational and Speech Therapists, and Audiologists	Recreational (e.g., art, dance, music) therapists' offices (e.g., centers, clinics)
624120	Services for the Elderly and Persons with Disabilities	Community centers (except recreational only), adult
624210	Community Food Services	Food banks
711190	Other Performing Arts Companies	Traveling shows, carnival
712110	Museums	Traveling museum exhibits
713110	Amusement and Theme Parks	Piers, amusement
713120	Amusement Arcades	Amusement arcades
713940	Fitness and Recreational Sports Centers	Recreational sports club facilities
713990	All Other Amusement and Recreation Industries	Discotheques (except those serving alcoholic beverages)
713990	All Other Amusement and Recreation Industries	Bowling leagues or teams, recreational
721110	Hotels (except Casino Hotels) and Motels	Hotels (except casino hotels) with golf courses, tennis courts, and/or other health spa facilities (i.e., resorts)
721199	All Other Traveler Accommodation	Hostels
722310	Food Service Contractors	Airline food services contractors
722330	Mobile Food Services	Mobile food stands
722410	Drinking Places (Alcoholic Beverages)	Bars (i.e., drinking places), alcoholic beverage
722513	Limited-Service Restaurants	Restaurants, fast-food
722515	Snack and Nonalcoholic Beverage Bars	Soft drink beverage bars, nonalcoholic, fixed location
813410	Civic and Social Organizations	Automobile clubs (except road and travel services)
813410	Civic and Social Organizations	Youth clubs (except recreational only)

* Please note – Industries listed herein are a sample, others may apply.