

COVID-19 National Emergency and CARES Act*: Tribal Strategy for Appropriations and Benefits

The CARES Act* passed the House of Representatives and was signed by the President on March 27. The Act includes nearly 2 trillion dollars in appropriations and programs spread out over several federal agencies. Billions of dollars are available to tribes and federal agencies providing services to tribes. The Department of Interior, the Department of Health and Human Services, the Department of Housing and Urban Development, the Department of Agriculture, the Department of Education, and the Department of Transportation have about 2 billion dollars in funds set aside for tribes. Each agency has its own criteria, funding formula, in addition to special purposes set out in the CARES Act to make allocations of these funds to the tribes.

CARES ACT (signed on March 27) Tribal and tribal organization appropriations

- » Dept of Treasury \$ 8 billion
- » Dept of Interior (BIA) \$ 453 million
- » HHS (IHS, HRSA, CMS, CDC, SAMHSA) \$ 1.032 billion
- » HUD \$ 300 million
- » Dept of Agriculture \$ 100 million
- » Dept of Ed \$ 69 million
- » Dept Of Transportation \$ 30 Million

The Department of Treasury oversees a large appropriation called the Coronavirus Relief Fund. Eight billion dollars of the Relief Fund has been allocated to tribes due to the sudden decline in economic output following the Coronavirus disease. Each tribal area's allocation is based on its share of aggregate tribal expenditures in FY2019, as determined by the Secretary of the Treasury in consultation with the Secretary of the Interior.

A lot is happening in Washington, D.C. during a nationwide shutdown. Face to face meetings and committees are going to be hard to schedule for a while. In their place are nationwide teleconference tribal consultations. What's a tribe to do? The following are a few simple steps to prepare to act.

IDENTIFY RESOURCES

Consult with your Council and staff. Identify a small group of people with the most familiarity and experience with tribal grants, programs, community needs, and federal and tribal appropriations and expenditures (e.g., tribal attorney, controller/financial officers, directors, department or commission members).

ORGANIZE

Put a small team of 3 to 5 people together to track, report, and plan for the administrative actions and appropriations ordered by the CARES Act. Assign a team leader and determine a reporting schedule to the tribal administration and Council. Network

Identify the tribe's current agency committee, advisory board and other organizational affiliations. All the major "tribal" agencies are posting updates on CARES appropriations and consultations (HHS-IHS, DOI-BIA). Due to the size of its Relief Fund, the Treasury Department is relying upon the DOI to connect it to tribal communities. Other agencies with fewer specific tribal program connections are reporting and most have non-tribal CARES programs to report.

RESEARCH

Verify agency appropriations and criteria being used to allocate funds to tribes as well as evolving timelines and processes to deliver funds to tribes. Determine if there are any pre-qualifications or requirements for funds and begin to collect documentation and information that may be required to generate applications to access CARES funds.

PRIORITIZE

Tribes share many of the same funding sources, but there are special categories of funding available under the CARES Act such as funds for fisheries. Tribes should list all funds they can expect to receive or may be eligible for along with forecasted amounts in a tribal CARES program supplemental budget. Tribes should consider whether there is any reason to prioritize certain fund categories. Some appropriated funds may be competitive or based on need. It is up to each tribe to determine where to concentrate its efforts to acquire funds.

CHECK-IN AND CONSULT

Set up a regular schedule and format to report to your tribal administration and Council. Action summaries, specific fund narratives, agency action and schedule, and an updated CARES funds budget forecast would be a good start.

PLAN FOR RESPONSE AND ACTION

Consolidate your reports and research and draft a succinct plan for tribal response and action to access CARES appropriations and benefits. Identify all tribal actions, authority and processes that may need to be followed or acquired to accept or apply for CARES funds.

Stay positive and productive, the tribe is counting on you.

**The Coronavirus Aid, Relief, and Economic Security Act (CARES Act; P.L. 116-136)*