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# Congress of the United States

## U.S. House of Representatives

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May 1, 2020

The Honorable Steven T. Mnuchin  
Secretary of the Treasury  
U.S. Department of the Treasury  
1500 Pennsylvania Avenue, NW  
Washington, D.C. 20220

The Honorable Alex M. Azar II  
Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, D.C. 20201

Dear Secretary Mnuchin and Secretary Azar:

We write to express our deep concern regarding the delay in the disbursement of federal dollars responsive to the coronavirus (COVID-19) epidemic to federally-recognized tribal governments, tribal small businesses, and health care providers serving American Indian or Alaska Native communities. In light of the dire economic and public health emergency that members of federally-recognized Indian tribes currently face, it is paramount that the Administration act swiftly to fulfill the intent of Congress and disburse billions of federal dollars to assist tribal communities amidst this crisis.

As you know, while the Coronavirus Aid, Relief, and Economic Security (CARES) Act set aside \$8 billion for sovereign tribal governments through the Coronavirus Relief Fund (CRF), the Department of the Treasury (Treasury) has yet to disburse any such funds to date. We understand that certain litigation is pending regarding disbursing dollars from the CRF to Alaska Native Corporations, but there is no reason to delay the disbursement of CRF money to eligible federally-recognized tribal governments. More than a month has passed since the enactment of the CARES Act and every day without the receipt of such funds only exacerbates the challenges federally-recognized tribal governments are grappling with during this pandemic.

It is also vital that Treasury explore avenues to prioritize the needs of tribal businesses seeking loans through the Paycheck Protection Program (PPP). Through the CARES Act and the Paycheck Protection Program and Health Care Enhancement Act, Congress has demonstrated an urgency that small businesses in underserved communities, including tribal communities, are able to participate in this

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program. We are aware of concerns from tribal businesses that remain stuck in the back of the line in the PPP application process. While we appreciate recent guidance by the Administration to clarify the eligibility of certain tribal businesses under the PPP, more must be done to support tribal businesses in receiving PPP loans.

In addition, we urge the Department of Health and Human Services (HHS) to ensure proper consideration for hospitals and health care providers serving tribal communities in future allocations of the Public Health and Social Services Emergency Fund. While Congress directed that specific funds be provided to the Indian Health Service (IHS) to better support COVID-19 treatment, not all individuals living in tribal communities are eligible to receive services through IHS. HHS must keep tribal communities in mind as it works to develop and refine future allocation formulas for the emergency provider fund, especially in light of longstanding disparities in health status and outcomes for federally-recognized American Indian and Alaska Native Tribes.

We appreciate the difficulties associated with rapidly disbursing federal funds across the country in response to the COVID-19 pandemic, but remind the Administration of the federal government's trust responsibility to tribal nations. We look forward to continued partnership with the Administration on further actions to promote the economic and health care needs of Indian Country.

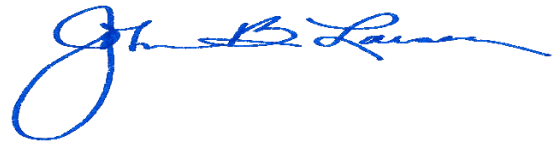
Thank you, in advance, for your immediate attention to this matter.

Sincerely,



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The Honorable Richard E. Neal, *Chairman*



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The Honorable John B. Larson



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The Honorable Ron Kind



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The Honorable Brian Higgins



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The Honorable Suzan K. DelBene



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The Honorable Bradley S. Schneider



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The Honorable Tom R. Suozzi