

April 7, 2020

COVID-19 Resource Guide

Tribes



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●●● A NOTE FROM CONGRESSWOMAN SUZAN DELBENE ●●●

The COVID-19 pandemic is the largest public health and economic crisis our state and county have faced in a lifetime. Many people have lost their jobs, kids are out of school, and businesses have closed their doors. This situation requires bold action to provide relief to the most affected and provide a strong recovery.

I want you to know that I'm fighting for you in Congress. Since the beginning of this outbreak, my priorities at the federal level are protecting families, workers, and small businesses, and getting our health care system the resources it needs to save lives.

Congress has now passed three emergency bipartisan funding bills to address this pandemic and provide relief to our communities. This guide contains information about the resources available to tribes impacted by the COVID-19 pandemic. This guide is meant to be reference tool and the information within is not exhaustive. Inside you will find a compilation of existing federal and state resources.

Because the situation is constantly evolving, check my website (delbene.house.gov) or call my office in Bothell at 425-485-0085 for additional assistance.

Please know that my staff and I are here to help. Stay safe and healthy.

Sincerely,



Suzan DelBene
U.S. Representative

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QUICK GUIDE

[Congresswoman DelBene's COVID-19 Resource Page](#)

My page on COVID-19 resources is continually updated, and includes information for businesses, workers, nonprofits, and more.

Washington State: A comprehensive list of state resources is available on the governor's coronavirus page: coronavirus.wa.gov

Urban Indian Health Institute COVID-19 Fact Sheets: A series of fact sheets for tribal leaders and members arranged by the Urban Indian Health Institute can be found here: [Urban Indian Health Institute COVID-19 Fact Sheets](#)

Bureau of Indian Affairs COVID-19 Webpage: Information on the Bureau of Indian Affairs response to coronavirus: <https://www.bia.gov/coronavirus>

Indian Health Service Coronavirus Page:
<https://www.ihs.gov/coronavirus/>

HUD FAQs for Tribes and Tribally Designated Housing Entities:
<https://www.hud.gov/sites/dfiles/PIH/documents/COVIDONAP2ndFAQs03302020.pdf>

NCAI Letter on the Redistribution of Funds for Fisheries:
http://www.ncai.org/Covid-19/administrative/FINAL_COVID-19_Assistance_to_Tribal_Fishery_Participants_Letter.pdf

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HEALTH CARE AND PUBLIC HEALTH

The CARES Act secured \$1.032 billion for the Indian Health Service (IHS) Services Account. The act includes:

- Up to \$65 million for electronic health record stabilization and support
- Up to \$125 million for Indian Health Service Facilities
- At least \$450 million to be distributed to Direct Service Tribes and Self-Governance Tribes
- \$125 million which may be transferred to and merged with the “Indian Health Service, Indian Health Facilities’ account
- \$1.5 billion for Centers for Disease Control and Prevention (CDC) grants and cooperative agreements of which Indian Tribes, Tribal Organizations, and Urban Indian Health Organizations are eligible to apply
- Minimum \$125 million for CDC set-aside funding directly to Indian Tribes, Tribal Organizations, and Urban Indian Health Organizations for surveillance, epidemiology, laboratory capacity, infection control, mitigation, communications, and other preparedness and response activities
- Minimum \$15 million in set-aside funding for Tribes and Tribal organizations under Substance Abuse and Mental Health Services Administration (SAMHSA) for mental and behavioral health services in response to COVID-19
- Minimum \$15 million from the Public Health Service and Social Services Emergency Fund
- Minimum \$15 million telehealth and rural health activities set-aside funding for Tribes, Tribal Organizations, Urban Indian Health Organizations, or health service providers under Health Resources and Services Administration (HRSA) for health surveillance and other needs under the HRSA Rural Health program
- Extension of the Special Diabetes Program for Indians through November 30, 2020
- Extension of the Temporary Assistance for Needy Families (TANF) Program through November 30, 2020

Addressing Shortage of Medical Supplies

National Academies report on America's medical product supply chain security

Directs the National Academies to study the manufacturing supply chain of drugs and medical devices and provide Congress with recommendations to strengthen the U.S. manufacturing supply chain.

Requiring the strategic national stockpile to include certain types of medical supplies

Clarifies that the Strategic National Stockpile can stockpile medical supplies, such as the swabs necessary for diagnostic testing for COVID-19.

Treatment of respiratory protective devices as covered countermeasures Provides permanent liability protection for manufacturers of personal respiratory protective equipment, such as masks and respirators, in the event of a public health emergency, to incentivize production and distribution.

Support for Health Care Providers

Supplemental awards for health centers

Provides \$1.32 billion in supplemental funding to community health centers on the front lines of testing and treating patients for COVID-19.

Telehealth network and telehealth resource centers grant programs

Reauthorizes HRSA grant programs that promote the use of telehealth technologies for health care delivery, education, and health information services. Telehealth offers flexibility for patients with, or at risk of contracting, COVID-19 to access screening or monitoring care while avoiding exposure to others.

Rural health care services outreach, rural health network development, and small health care provider quality improvement grant programs

Reauthorizes HRSA grant programs to strengthen rural community health by focusing on quality improvement, increasing health care access, coordination of care, and integration of services. Rural residents are disproportionately older and more likely to have a chronic disease, which could increase their risk for more severe illness if they contract COVID19.

United States Public Health Service Modernization

Establishes a Ready Reserve Corps to ensure we have enough trained doctors and nurses to respond to COVID-19 and other public health emergencies.

Limitation on liability for volunteer health care professionals during COVID-19 emergency response

Makes clear that doctors who provide volunteer medical services during the public health emergency related to COVID-19 have liability protections.

Flexibility for members of National Health Service Corps during emergency period

Allows the Secretary of Health and Human Services (HHS) to reassign members of the National Health Service Corps to sites close to the one to which they were originally assigned, with the member's agreement, in order to respond to the COVID-19 public health emergency.

Public Health Provisions

Extension for community health centers, the National Health Services Corps, and teaching health centers that operate GME programs

Extends mandatory funding for community health centers, the National Health Service Corps, and the Teaching Health Center Graduate Medical Education Program at current levels through November 30, 2020.

Diabetes programs

Extends mandatory funding for the Special Diabetes Program for Type I Diabetes and the Special Diabetes Program for Indians at current levels through November 30, 2020.

Frequently Asked Questions

Q: The IHS health clinics serving my Tribe are dangerously low on personal protective equipment and other medical supplies. Does the CARES Act provide any resources to help us make sure our health workers have the supplies they need?

A: Yes. The CARES Act will provide Indian Tribes and the IHS with \$15 million in emergency supplemental funding through the Public Health and Social Service Emergency Fund to purchase personal protective equipment (PPE) and other medical supplies. Additionally, the CARES Act provides the IHS with over \$1 billion in flexible emergency supplemental funding that can be used for procurement of PPE and other medical supplies, including health IT for public health data surveillance. IHS will work with Tribes and urban Indian health centers over the coming days to determine how these funds will be distributed.

Q: Are there any additional health resources for Indian Tribes and urban Indian health clinics outside of the IHS in the CARES Act?

A: Yes. In addition to the \$1+ billion in emergency supplemental funding for IHS in the CARES Act, Indian Tribes will receive health-specific resources from HRSA, CDC, SAMHSA, and the Public Health and Social Services Emergency Fund. Specifically, Indian health entities will receive:

- \$15 million for telehealth/rural health COVID-19 activities emergency supplemental funding at the HRSA;
- \$15 million in emergency supplemental funding at SAMHSA;
- \$15 million in emergency supplemental funding reserved for Indian health entities under the Public Health and Social Services Emergency Fund;
- \$120 million in emergency supplemental funding reserved for Indian health entities at the CDC.

Q: Are Urban Indian Health Centers eligible for any CARES Act resources?

A: Yes. Urban Indian Health Centers are eligible for funding through the \$1+ billion in emergency supplemental funding for IHS in the CARES Act; the \$15 million for telehealth/rural health COVID-19 activities emergency supplemental funding at the HRSA; the \$15 million in emergency supplemental funding at SAMHSA; the \$15 million in in emergency supplemental funding reserved for Indian health entities under the Public Health and Social Services Emergency Fund; and the \$120 million in emergency supplemental funding reserved for Indian health entities at the CDC.

TRIBAL GOVERNANCE AND COMMUNITY DEVELOPMENT

Tribal governance and operations priorities in The CARES Act include:

- \$453 million for Indian Affairs Operation of Indian Programs until September 30, 2021
- \$300 million under the Native American Housing Assistance and Self-Determination Act (NAHASDA)
 - \$200 million is for Native American Housing Block Grants (IHBG) formula
 - \$100 million is for Indian Community Development Block Grant (ICDBG)
 - \$5 million for Office of Public and Indian Housing
- \$4.5 million for tribal domestic violence shelters through the Family Violence and Prevention Services Act (10 percent tribal set-aside from \$45 million)
- \$900 million for Low Income Home Energy Assistance (LIHEAP) which includes Tribal LIHEAP

FREQUENTLY ASKED QUESTIONS

Q: Is the U.S. Department of Housing and Urban Development (HUD) going to make extra funding available to Tribes and TDHEs to cover the cost of extraordinary costs that may have to be incurred during this crisis?

A: On March 27, 2020 the President signed into law the CARES Act, which includes more than \$2 trillion to alleviate some of the worst effects of COVID-19. Of this total, \$200 million is included for the IHBG program and \$100 million is included for the ICDBG program.

In addition, the CARES Act grants HUD statutory and regulatory waiver authority to help facilitate the expedient use of funds. The \$200 million included for the IHBG program will be distributed as quickly as possible to Tribes and Tribally Designated Housing Entities (TDHEs) according to the same funding formula used to award Fiscal Year 2020 funds. Funding is intended for activities and projects designed to prevent, prepare for, and respond to COVID-19, and maintain operations impacted by COVID-19. The \$100 million included for the ICDBG program can be used for emergencies that constitute imminent threat to health and safety. Funding is intended

for activities and projects designed to prevent, prepare for, and respond to COVID-19.

HUD intends to publish an Implementation Notice in the very near future that provides Tribes and TDHEs with guidance on how to apply for this funding, and will issue waivers and alternative requirements of statutory and regulatory provisions to facilitate the use of these funds to help address COVID-19.

Q: Are all Bureau of Indian Education schools, including Tribally operated 638 contract and 297 grant schools, eligible to receive waivers for federal education law requirements that will be difficult/impossible to comply with due to COVID-19 related school closures (e.g., annual testing and reporting requirements)?

A: The CARES Act gives the Department of Education the authority to grant BIE schools and Indian Tribes waivers of certain federal education laws under Elementary and Secondary Education Act (ESEA), the Individuals with Disabilities Act (IDEA), and the Higher Education Act (HEA). To ensure all students' rights are protected while schools have the flexibilities they need under the COVID-19 crisis, Congress authorized these waivers to cover a range of topics (e.g., annual testing, reporting, and annual funding use limitations) but prohibited universal exemptions for all federal education laws. As such, Tribes are encouraged to check Department of Education websites and communications over the coming days for specific lists of federal statutory provisions that are eligible for waivers. To design the application process for waivers under this authority, the Secretary of Education will create a streamlined waiver applications process for this academic year only

Q: Many of my Tribal Members enrolled in school are being asked to complete class work online, but Internet access is very limited on my reservation and many families can't afford the computer equipment needed to move to online distance learning. Are there resources to help address this learning gap for Native students?

A: The CARES Act includes \$25 million for Distance Learning and Telemedicine (DLT) Program, administered by the Rural Utility Service. Funding goes toward initial capital assets for equipment

(e.g., video conferencing equipment, computers) that operate via telecommunications to rural end-users of telemedicine and distance learning. Broadband facilities (if owned by the applicant) are also eligible. Federally recognized tribes are eligible to apply for DLT grants. Approved purposes can be found at 7 CFR part 1734.31, which can be found [here](#).

The CARES Act also includes \$100 million for the ReConnect program (Broadband Loan and Grant Program), which offers loans and grants to build infrastructure and install equipment that provides modern, reliable, high-speed Internet service in rural America.

The ReConnect program offers three products: 100% Loans, 50% Loan-50% Grant combinations, and 100% Grants. To be eligible, at least 90% of the households to be served by a project receiving a loan or grant under the pilot program must be in a rural area without sufficient access to fixed broadband at a minimum speed of 10 Mbps/1 Mbps. Wireless and satellite is not eligible. Additional information about the Re-connect program can be found [here](#).

Finally, the CARES Act includes flexible direct support through the Departments of Education and the Interior for BIE-funded schools (i.e., federally-operated, Tribal 638 contract, and Tribal 297 grant) as well as Tribal Colleges and Universities to address needs such as student IT. Specifically, the CARES Act will provide \$69 million to BIE at the Department of Interior to address the needs of Tribal K-12 and higher education schools. Tribes should reach out to the BIE to receive guidance on how these funds will be distributed. Congress also provided \$30.75 billion to establish an Education Stabilization Fund that BIE-funded schools and Tribal Colleges and Universities will qualify for. Tribes should reach out to the Department of Education for guidance on how and when these funds will be distributed.

Q: My Tribe needs to set up COVID-19 response child care coverage to help the families of health care workers, emergency personnel, and other “front line” workers. Will the CARES Act help with this?

A: Yes. The CARES Act provides Tribes with two options to address this concern. First, Tribes can opt to receive reimbursement for any of

these expenses through the \$8 billion Tribal Coronavirus Relief Fund operated by the Department of Treasury. Second, Tribes that operate child care centers through the Department of Health and Human Services' Indian Child Care Development Block Grant Program will receive a portion of the emergency supplemental funding appropriated by Congress for this program.

Q: What support for tribal nutrition programs is included in The CARES Act?

A: The CARES Act includes:

- \$100 million for the Food Distribution Program for Indians Reservations (FDPIR)
 - \$50 million is for facility improvements and equipment upgrades
 - \$50 million is for additional food purchases
- \$20 million for Older American Act, Tribal Nutrition Program. Provides funds for the delivery of nutrition services to American Indians, Alaska Natives, and native Hawaiian elders
- \$8.8 billion for Child Nutrition Programs

ECONOMIC RELIEF

Coronavirus Relief Fund

\$8 billion set-aside for Tribal Governments to use for expenditures incurred due to the COVID-19 public health emergency

Coronavirus Economic Stabilization Act of 2020

Provides \$454 billion for loans, loan guarantees, and investments in support of the Federal Reserve's lending facilities to eligible businesses, states (Indian Tribes are included), and municipalities

Keeping American Workers Paid and Employed Act

Makes Tribes eligible for the Small Business Act Section 7(a) Paycheck Protection Program, which provides 100% federal loan guarantees up to \$10 million to cover costs like employee salaries, paid sick leave/medical leave, mortgages/rents, and employee health insurance premiums. Includes Tribal businesses

Emergency Unemployment Relief for Governmental Entities and Nonprofit Organizations

During the period of the national emergency, the federal government would pay a 50 percent reimbursement for the cost of unemployment compensation paid by Indian Tribes that are reimbursement-option employers

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Emergency Economic Injury Disaster Loan (EIDL) Grants

Tribal small businesses eligible.

Nursing Workforce Development Amendments

Includes IHS Community Health Aides.

Health Professions Workforce Programs

Qualified Tribes or tribal organizations may be prioritized for awards.

Priority for Geriatrics Education and Training Grants

Designed for applicants with programs or activities that are expected to serve older adults in Indian Tribes or Tribal Organizations.

TANF

Extension of the Temporary Assistance for Needy Families (TANF) Program through November 30, 2020

Frequently Asked Questions

Q: How can Tribes apply for the Coronavirus Relief fund? Are there limitations?

A: Once enacted, the Treasury Secretary will consult with the Interior Secretary and Tribes to develop the specific method for applying for and distributing the \$8 billion reserved for Indian Tribes and Tribal enterprises in the Coronavirus Relief Fund. The CARES Act specifies that the Secretary can only provide funding to cover additional expenditures incurred by Tribes or Tribal enterprises in 2020 compared to expenses incurred in 2019. Tribes should be able to work with the Secretaries of Treasury and the Interior to help determine how this calculation is made.

Q: How will the \$2+ billion emergency supplemental funding for federal Indian programs be distributed? Will it be competitive?

A: Distribution will be conducted on a case-by-case basis for each federal Department. Some departments may opt to utilize existing funding streams, but Congress's intent is that all departments engage in direct consultation with Tribes on how to distribute these emergency supplemental funds. Congress will also conduct strong oversight to ensure the distribution process for CARES Act funds will be smoother and more efficient than Tribes and urban Indian health centers reportedly experienced under previous COVID-19 packages.

Q: My Tribal government closed its businesses due to the virus. What relief is available to recoup employee salaries and other expenses?

A: Tribal business concerns with 500 employees or if higher, the applicable size standard for the industry as provided by the SBA, are eligible for the Paycheck Protection Program (PPP). The PPP is a nearly \$350 billion program that provides 8 weeks of cash-flow assistance to small businesses through a 100 percent federally guaranteed loan to employers who maintain their payrolls during this emergency.

The PPP will provide small businesses and other entities with zero-fee loans of up to \$10 million. Up to 8 weeks of average payroll and other costs will be forgiven if the business retains its employees and their salary levels. Principal and interest is deferred for up to a year and all borrower fees are waived. This temporary emergency assistance through SBA and the Treasury can be used in coordination with other COVID-financing assistance established in the bill or any other existing SBA loan program.

Please note that as of 4/7/20, Tribal business concerns involving gaming of less than 500 employees are not covered, despite the language of the CARES Act. Congress may work on a fix to this issue.

SMALL BUSINESS DEBT RELIEF PROGRAM

Under the CARES Act, this program will provide immediate relief to small businesses with non-disaster SBA loans, in particular 7(a), 504, and microloans. Under it, SBA will cover all loan payments on these SBA loans, including principal, interest, and fees, for six months. This relief will also be available to new borrowers who take out loans within six months of the President signing the bill into law.

Frequently Asked Questions

Q: Which SBA loans are eligible for debt relief under this program?

A: 7(a) loans not made under the PPP, 504 loans, and microloans. Disaster loans are not eligible.

Q: How does debt relief under this program work with a PPP loan?

A: Borrowers may separately apply for and take out a PPP loan, but debt relief under this program will not apply to a PPP loan.

Q: Is our Tribal business eligible for the SBA 7(a) loans as established in the CARES Act?

A: Yes. The CARES Act requires the SBA to pay all principal, interest and fees on all new and existing SBA loan products including 7(a), Community Advantage, 504, and microloan programs for 6 months, and provides \$17 billion for this purpose.

This relief will also be available to new borrowers who take out an SBA loan within 6 months after the enactment of the CARES Act. This measure encourages banks to provide further relief to small business borrowers by allowing them to extend the duration of existing loans beyond existing limits. It also enables small business lenders to assist more new and existing borrowers by providing a temporary extension on certain reporting requirements. While SBA borrowers are receiving the 6 months debt relief, they may also apply for a PPP loan that provides capital to keep their employees on the job. The 6 months of SBA payment relief may not be applied to payments on PPP loans.

Q: Does our Tribal business qualify for the Emergency Economic Injury Disaster Loans grants in the CARES Act?

A: Tribal business concerns with 500 employees or less are eligible for the Emergency Economic Injury Disaster Loans grant. Small businesses, private nonprofits, sole proprietors, independent contractors, cooperatives, and employee-owned businesses also qualify.

This grant allows for expedited access to capital by establishing a \$10 billion program for small businesses who have applied for an EIDL loan to request an advance of up to \$10,000 on the loan. The EIDL grant may be used to provide paid sick leave to employees, maintain payroll, meet increased production costs due to supply chain disruptions, or pay business obligations such as debts, rent and mortgage payments.

EIDLs are loans of up to \$2 million and have an interest rates up to 3.75 percent for companies and up to 2.75 percent for nonprofits, as well as principal and interest deferment for up to 4 years. The EIDL grant does not need to be repaid, even if the grantee is subsequently denied an EIDL.

A business that receives an EIDL between January 31, 2020 and June 30, 2020 as a result of a COVID-19 disaster declaration is eligible to apply for a PPP loan or the business may refinance their EIDL into a PPP loan. In either case, the emergency EIDL grant award of up to \$10,000 would be subtracted from the amount forgiven in the PPP.

Q: Instead of paying traditional unemployment insurance premiums, my Tribe/Tribal business opts to pay a dollar-for-dollar reimbursement to state unemployment programs for any unemployment costs incurred by former Tribal employees. Will my Tribe/Tribal business be eligible for the CARES Act unemployment insurance reimbursements?

A: Yes. Through the Emergency Unemployment Relief for Governmental Entities and Nonprofit Organizations provision, the CARES Act reduces the amount Indian Tribes and their tribally owned business entities are required to reimburse states for benefits paid to their workers who claim unemployment insurance by 50 percent through December 31, 2020. Tribes and Tribal businesses that incur additional unemployment insurance costs in 2020 are also eligible to make a claim for reimbursement through the Tribal Coronavirus Relief Fund.