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United States Senate

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VETERANS' AFFAIRS

SPECIAL COMMITTEE ON AGING

May 20, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate
S-230, The Capitol
Washington, D.C. 20510

The Honorable Chuck Schumer
Minority Leader
United States Senate
S-221, The Capitol
Washington, D.C. 20510

Dear Leader McConnell and Leader Schumer:

Tribes across the country have been hit particularly hard by the coronavirus. It is critical that the 22 federally recognized tribes in Arizona receive adequate access to resources and information from the federal government to effectively respond to the pandemic in their communities.

Unlike state and local governments, tribes do not have a tax base to generate revenue. Funding for tribal schools, health care systems, elder centers, food distribution programs, and other essential tribal programs comes from the federal government or tribally owned enterprises. As a result of the COVID-19 pandemic, tribal government offices are closed and tribes are not generating revenue to pay employees or fund vital services. Critical expenditures to protect public health and safety during the pandemic are threatening the funding for future vital services for tribal nations.

I request that the next stimulus package address this crisis by including a significant and meaningful Coronavirus Relief Fund Tribal Set-Aside. This funding should be flexible enough to cover the cost of employees and lost revenue, and the bill should include a provision that retroactively applies this flexibility to funds allocated under the CARES Act. New funding should be awarded primarily based on economic factors, such as employment and total expenditure data, to ensure these resources are distributed to tribal governments that are incurring the highest costs during this pandemic.

The bill should include a provision that directs the Department to reallocate that any funds returned to the Treasury, pursuant to an enforcement action or otherwise, back out to other tribal governments that need the additional funding. I also request that the next stimulus package extend the deadline for the tribal set-aside of the Coronavirus Relief Fund (CRF) in Title V of the CARES Act to December 30, 2021. While tribal governments received a meaningful allocation from the CARES Act, tribes need additional time to implement necessary projects past the current deadline of December 30, 2020.

The term “Indian tribe” should be defined as: “Any individually identified and federally recognized Indian or Alaska Native tribe, band, nation, pueblo, village, community, affiliated tribal group, or component reservation on the list published pursuant to the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131 (a)).”

Furthermore, I request the legislation include a statutory fix to the Paycheck Protection Program to allow full participation by tribal business concerns. It is imperative that tribal businesses that are recognized as primary employers on many tribal reservations have access to this program, which can protect their paychecks and health insurance.

The Centers for Disease Control and Prevention notes that American Indians and Alaska Natives are at a disproportionate risk for complications from COVID-19, due to health and socioeconomic disparities in these communities. Moving forward, we must ensure tribal nations can access the resources needed to protect their communities. To address this disproportionate risk, I ask that the next stimulus package include significant funding for the Indian Health Service (IHS), Tribally Operated Facilities, and Urban Indian Health Organizations. Specifically, I request IHS receive \$1 billion for purchased or referred care, \$1.215 billion for hospitals and clinics, \$1.7 billion for emergency third-party reimbursement relief funds, and \$85 million for equipment purchases and replacements, including costs for testing of tribal members. Arizona is home to four Urban Indian Health Organizations (UIHOs). As such, I request that UIHOs receive \$161 million in this legislation. The bill must also include \$2.5 billion for IHS Health Care Facilities Construction and \$1 billion for IHS Sanitation Facilities Construction.

The Special Diabetes Program for Indians (SDPI) supports over 300 Indian Health Service, tribal, and urban Indian programs in 35 states and has led to significant advances in diabetes education, prevention, and treatment. I therefore request inclusion of language to permanently reauthorize the SDPI in the next stimulus package.

Access to the internet is essential to ensure tribal communities across the country have the resources they need to preserve public health and repair the economic fallout resulting from COVID-19. Yet, seven in 10 residents on rural tribal lands do not have access to fixed high-capacity broadband. The next stimulus package must provide tribal governments with resources to ensure equitable broadband access for Indian Country so that youth living on tribal lands may access distance learning and educational to the same degree as all U.S. students.

The next stimulus package should also include \$300 million in funding under the Communities Facilities Grant Program under 3026(a) of the Consolidated Farm and Rural Development Act to help tribes immediately deploy wireless broadband services on tribal lands and technical assistance. In addition, the Federal Communications Commission (FCC) should grant emergency special temporary authority to use available and efficient spectrum on tribal lands. I also request the FCC extend the 2.5 GHz Rural Tribal Priority Window by 180 days to allow Tribes in Arizona adequate time to apply for this opportunity.

Native American tribes in Arizona and throughout the country urgently need improved access to drinking water and sanitation facilities. An estimated 130,000 homes on tribal reservations lack running water and adequate sanitation. This deficiency makes tribal residents more susceptible to COVID-19 and other illnesses due to their inability to take basic preventive measure like handwashing.

It is also critical for any future coronavirus relief bill to strengthen critical infrastructure for tribal communities. I urge you to provide an additional \$985 million in funding for the Sanitation Facilities Program at IHS to address drinking water and sanitation deficiencies on tribal reservations.

Native American veterans face unique challenges accessing Veterans Affairs (VA) services. As such, this legislation should include the Health Care Access for Urban Native Veterans Act to ensure the VA covers health care services provided at urban Indian health centers. This bipartisan bill helps Native American veterans in Arizona get the care they have earned.

It is also critical for the next bill to waive the 25 percent cost-share requirement for tribes as direct recipients of FEMA public assistance. Tribal communities in Arizona need every available resource to fight the spread of coronavirus. Waiving tribes' portion of federal response costs is a commonsense step to save lives.

I am committed to providing tribal communities across Arizona with the resources needed to fight the coronavirus pandemic. It is crucial that the federal government work together with state, local, and tribal partners to tackle the threats and challenges presented by COVID-19. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kyrsten Sinema', with a long horizontal flourish extending to the right.

Kyrsten Sinema
United States Senator