

National Indian
Health Board



March 31, 2020

The Honorable Sonny Perdue
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, DC 20250

Re: Recommendations for the USDA's Rapid Disbursement of COVID-19 Relief Funding and Resources to Tribal Nations under H.R. 748 – the CARES Act

Dear Secretary Perdue:

On behalf of the undersigned American Indian and Alaska Native organizations, we write to strongly urge you to issue swift guidance on how tribal nations, tribal producers, and Indian Tribal Organizations (ITOs) that serve tribal citizens will be able to access funding provisions of H.R. 748, also known as the "Coronavirus Aid, Relief, and Economic Security Act" or the "CARES" Act (the "Act").

The U.S. Department of Agriculture (USDA), with its unique and essential focus on rural areas across the country, continues to play a critical role in the response and support of tribal nations to the devastating issues and growing concerns around COVID-19 across Indian Country. With the important tribal-specific and overall agricultural provisions contained in the CARES Act, USDA must continue to work with tribal leadership and tribal organizations to deploy the resources and authorities in this Act in an expeditious manner.

In this vein, we urge USDA to follow the guidance of the Office of Management and Budget (OMB) memoranda released on March 9, 2020 and March 19, 2020 to create as much flexibility as possible in providing federal funding and services in response to COVID-19; to relieve short-term administrative, financial management, and audit regulatory requirements related to funding awards; and to remove hurdles to receiving federal funds – including for the loss of operational capacity and increased costs due to the COVID-19 crisis. Further, USDA has additional and extraordinary authorities that can further empower tribal nations to directly respond to the needs of their citizens and communities.

Tribal leaders put forth the following recommendations to ensure USDA's robust and comprehensive response to COVID-19:

Food Distribution Program on Indian Reservations

The CARES Act includes an additional \$100 million for the Food Distribution Program on Indian

Reservations (FDPIR) – \$50 million for food and \$50 million for facility and equipment upgrades. As many FDPIR sites are starting to see substantial increases in new participants and food needs, along with concerns regarding the FDPIR supply chain and food ordering, we urge USDA to exercise its authorities under the OMB guidance memoranda and emergency authorities to take the following actions to support FDPIR:

- Provide as much administrative flexibility for FDPIR ITOs as possible, including for the certification and verification of new participants, and delivery and pre-packing food service options;
- Ensure priority for the FDPIR program to access the \$100 million in supplemental funding and expedite the process for spending so FDPIR sites can be fully equipped with the necessary infrastructure and can purchase enough food to address the rapidly increasing need – specifically requiring that food purchased for FDPIR must go to FDPIR programs;
- Allow the funds to cover FDPIR administrative costs and waive the non-federal cost share requirement as many tribal nations have lost or are losing essential government revenue streams;
- Confirm FDPIR supplemental funds from the CARES Act will be utilized immediately and take precedence over the regularly appropriated funds, since the CARES Act funds are limited in use to respond to needs related to the coronavirus pandemic and thus must receive priority;
- Exercise the existing tribal Self-Governance authority under Public Law 93-638 to contract out services relating to the FDPIR program to tribal nations and ITOs;
- Support immediate local and regional food procurement by ITOs to fill any gaps in food availability and sourcing; and
- Continue weekly operations calls for ITOs and weekly check-in calls between tribal leaders, the National Association of FDPIR, and USDA Food and Nutrition Service.

Support for Tribal Producers and Agriculture Operations

Several other USDA programs and authorities received additional funding and support through the CARES Act to support farmers, ranchers, and rural communities. Within these, we request that each USDA implementing agency work with tribal nations, tribal organizations, and tribal producers to provide equitable access and outreach to Indian Country for emergency response provisions, including but not limited to the following:

- Dedicated funding and outreach to tribal producers and livestock ranchers to receive emergency assistance from the \$9.5 billion dedicated disaster fund;
- Ensure outreach by the USDA Farm Service Agency to support tribal farmers and ranchers whose operations are being impacted and allow for flexibility on payment terms for existing loans;
- Include a tribal priority for the additional \$100 million for the Broadband ReConnect program (especially since the second Request for Proposals this year did not include tribal priority points) and for the \$25 million in telemedicine funding; and
- Set aside a portion of the \$1 billion rural business guaranteed loans to support rural tribal businesses.

As the impacts to our country and rural communities continue to escalate, we urge USDA to empower and include tribal nations as governmental partners in its response to the COVID-19 crisis and its mission to “Do Right and Feed Everyone” during this unprecedented pandemic. Resources must be deployed as expeditiously as possible with as much administrative and programmatic flexibility as possible. Thank you for all USDA does to support Indian Country food and agriculture. We stand ready with you as partners.

Sincerely,



Kevin J. Allis
Chief Executive Officer
National Congress of
American Indians



Zach Ducheneaux
Executive Director
Intertribal Agriculture
Council



Mary Greene Trottier
President
National Association of
Food Distribution Programs
on Indian Reservations

Co-Chair
Native Farm Bill Coalition



W. Ron Allen
Tribal Chairman/CEO
Jamestown S'Klallam Tribe

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Diana Cournoyer
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Francys Crevier
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Indian Health



Kirk Francis
President
United South and Eastern
Tribes Sovereignty Protection
Fund



Carrie L. Billy
President & CEO
American Indian Higher
Education Consortium



Stacy Bohlen
CEO
National Indian Health
Board

cc: The Honorable Pat Roberts, U.S. Senate
The Honorable Debbie Stabenow, U.S. Senate
The Honorable Collin Peterson, U.S. House of Representatives
The Honorable Michael Conaway, U.S. House of Representatives
The Honorable John Hoeven, U.S. Senate
The Honorable Tom Udall, U.S. Senate
Pam Miller, Administrator, Food and Nutrition Service, U.S. Department of Agriculture
Diane Cullo, Director, Office of Tribal Relations, U.S. Department of Agriculture
Brandon Lipps, Deputy Under Secretary, Food, Nutrition, and Consumer Services, U.S.
Department of Agriculture
Richard Fordyce, Administrator, Farm Service Agency, U.S. Department of Agriculture
Bette Brand, Deputy Under Secretary, Rural Development, U.S. Department of Agriculture