

H.R. 6800, the Helping Emergency Responders Overcome Emergency Situations
(HEROES) Act
Tribal Provisions Summary

Economic Development & Employment

- Provides an additional \$20 Billion tribal set aside for tribal governments within the Coronavirus Relief Fund and:
 - Provides that tribal population shall be determined by a tribal certification.
 - Confirms that only tribal governments presently on the Federally Recognized Indian Tribe List Act are eligible for funds.
 - Mandates a disclosure of the distribution formula 24hrs before payments are made and a report to Congress 7 days after payments are distributed.
 - Allows lost, delayed, or decreased revenues to be an eligible use of funds.
 - Provides for the return of any recouped funds back to tribal governments instead of the Treasury General Fund.
- Provides an additional \$10 billion for the Emergency Economic Injury Disaster Loan Grant program authorized by Section 110 of the CARES Act.
- Allows businesses receiving Paycheck Protection Program loan forgiveness to defer payment of payroll taxes under Section 2302 of the CARES Act.
- Increases the employee retention tax credit maximum percentage from 50 percent to 80 percent and modifies the definition of “larger employer.” Tribal governments and entities engaged in trade or business remain eligible for this tax credit.
- Provides authority for the Federal Reserve Bank to purchase bills, notes, revenue bonds and warrants issued by governments, includes tribal governments in its municipal lending facility.
- Authorizes \$1 billion for the Community Development Financial Institutions Fund with no less than \$25 million for financial and technical assistance, training, and outreach for Native American, Native Hawaiian, and Alaska Native communities.
- Provides an additional \$100 million to tribal, subsistence, commercial, and charter fishery participants under Section 12005 of the CARES Act.
- Provides for the extension of Native American programs by one fiscal year for grants awarded for fiscal year 2021 under the Workforce Innovation and Opportunity Act
- Provides access to banking services and insurances for cannabis related businesses and service providers, including tribal operations.

Tribal Governance, Housing /Community Development, Transportation

- \$900 million for the Operation of Indian Programs until September 20, 2021:
 - \$100 million shall be for housing improvement.
 - \$780 million for tribal government services, tribal government employee salaries to maintain operations, and cleaning and sanitization of tribally owned and operated facilities.
 - \$20 million to provide and deliver potable water.
- \$1.99 billion in Emergency Solutions Grants to Indian Tribes and tribally designated housing entities for providing short- or medium-term assistance with rent and rent-related

costs (including tenant-paid utility costs, utility- and rent-arrears, fees charged for those arrears, and security and utility deposits).

- \$3.75 billion from the homeowner assistance fund for eligible NAHASDA recipients using the funding allocation for Indian Housing Block Grants.
- \$150 million for the Tribal Transportation Program.
- Not less than \$250 million for E-Rate support for Wi-Fi hotspots, other equipment, and connected devices during emergency periods for schools and libraries that services tribal lands.

Health, Education, Nutrition, and Human Services

Health

- \$2.1 billion for Indian Health Services:
 - \$1 billion to supplement reduced third party revenue collections.
 - \$500 million for direct health and telehealth services, including to purchase supplies and PPE.
 - Not less than \$366 million shall be transferred to and merged with the “Indian Health Service, Indian Health Facilities” account.
 - \$140 million to expand broadband infrastructure and information technology for telehealth and electronic health record system purposes.
 - \$20 million to address the needs of domestic violence victims and homeless individuals and families.
 - Not less than \$64 million for Urban Indian Organizations (UIOs).
 - Not less than \$10 million for potable water.
- Not less than \$100 million set aside from the Centers for Disease Control and Prevention – CDC Wide Activities and Program Support account.
- Not less than \$150 million for the Substance Abuse and Mental Health Services Administration Health Surveillance Program.
- Provide reimbursements for services furnished by Indian Health Care Providers outside of an IHS or Tribal Facility beginning on July 1, 2020, and ending on June 30, 2021.
- Authorizes 100% Federal Medical Assistance Percentage for Urban Indian Organizations beginning on July 1, 2020, and ending on June 30, 2021.
- \$25 million to establish a nationally representative panel to conduct research and field studies for the purposes of improved understanding of tribal health inequities among AI/ANS.
- Extends the Temporary Assistance for Needy Families Program through June 30, 2021.
- \$1 million for the Older Americans Act, Tribal Nutrition Program, which provides funds for the delivery of nutrition services to American Indian, Alaska Native, and native Hawaiian elders.
- \$1.5 million for Low Income Home Energy Assistance (LIHEAP) which includes Tribal LIHEAP.
- Extended eligibility to CDC’s Public Health Emergency Preparedness (PHEP) program to Indian Tribes.

Education

- State Fiscal Stabilization Fund:
 - \$450 million set aside for the Bureau of Indian Education.

- \$1.708 billion for Minority Serving Institutions, which include but are not limited to, Tribal Colleges and Universities, Alaska Native and Native Hawaiian Serving Institutions, and Native American Serving Non-tribal Institutions.
- Authorizes Tribally Controlled Grant Schools to access Federal Employee Health Benefits (FEHB).

Nutrition

- Waives the non-federal cost share requirement for the Food Distribution Program on Indian Reservations (FRPIR).
- Temporarily waives the prohibition on dual use of the Supplemental Nutrition Assistance Program (SNAP) and FDPIR during the same month.
- Increases the SNAP maximum benefit available to all household by 15 percent and the minimum benefit from \$15 to \$30 dollars.

Veterans

- Authorizes Urban Indian Organizations (UIO) as eligible for VA reimbursement for services provided to AI/AN veterans.
- Require the Veterans Health Administration (VHA) to reimburse IHS and Indian Tribes for services under PRC.

Violence Against Women

- \$50 million for the Family Violence and Prevention Services Act, which has a 10% statutory tribal set-aside so will result in \$5 million for tribal nations.
- \$7.8 million for VAWA grants to tribal governments, funded through statutory set-asides for six other VAWA grant programs.
- \$4 million to assist Indian Tribes with implementation of special domestic violence criminal jurisdiction.

Voting

- Provides \$3.6 billion for states to have safe and accessible elections in 2020.
- Requires states to offer online and same-day voter registration; at least 15 consecutive days of early in-person voting; and no-excuse absentee vote-by-mail to all voters with postage paid by the government.
- Permits an Indian Tribe to designate one building per precinct as ballot pickup and collection locations within Indian lands at no cost to the Indian Tribe.
- Requires states or political subdivisions to collect ballots from designated locations and to provide Indian Tribes with accurate precinct maps for all precincts located within Indian lands at least 60 days before an election.
- Requires states or political subdivisions to provide absentee ballots for federal elections to each individual who is registered to vote and who resides on Indian lands without requiring a residential address or a mail-in or absentee ballot request.
- Ensures that voters living on Indian lands may use the address of a designated building for ballot pickup and collection as their residential and mailing address if such building is in the same precinct of the voter, and if the building is not in the same precinct, may use the address of another tribally designated building within Indian lands.

- Requires that states or political subdivisions covered under section 203 of the Voting Rights Act of 1965 provide all applicable language accessibility requirements.

Homeland Security

- Assistance provided under the President’s March 13, 2020, emergency declaration and any subsequent major disaster declarations made under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) shall be provided at a 100 percent federal cost share.
- \$3 million for the Office of the Inspector General to provide oversight of Department of Homeland Security activities funded under the CARES Act and this bill.
- \$1.3 billion for the FEMA Federal Assistance:
 - \$500 million for Assistance to Firefighter Grants;
 - \$500 million for staffing Adequate Fire and Emergency Response Grants;
 - \$100 million for Emergency Management Performance Grants; and
 - \$200 million for Emergency Food and Shelter Program.

Environment & Natural Resources

- Provides \$1.5 billion to states and Indian Tribes for drinking water and wastewater assistance, with a maximum of 10% tribal set aside, to be determined by the Secretary of Health and Human Services.
- Provides an additional \$50 million for Fish and Wildlife Service for state and tribal wildlife grants.