

FACT SHEET: During Visit to Rosebud Indian Reservation, Secretary Yellen Highlights U.S. Treasury Department’s Historic Commitment to Tribal Nations

Recognizing the significant public health and economic impacts of the COVID-19 pandemic on Tribal communities, President Biden’s American Rescue Plan included over \$30 billion for Tribal governments – the largest single one-time infusion of federal dollars into Indian Country to-date. The U.S. Treasury Department has played a pivotal role in administering these funds, including \$20 billion in fiscal relief to Tribes, support for Tribal efforts to help members stay in their homes, and investments in small businesses and broadband. Today, as Secretary Yellen makes her first visit to Tribal lands as Secretary, Treasury is taking two steps that will deepen the Department’s commitment to Tribal Nations – with President Biden’s announcement of his intent to appoint Lynn Malerba, Lifetime Chief of the Mohegan Tribe, as Treasurer of the United States Treasurer as well as the establishment of a new Office of Tribal and Native Affairs that will report to her.

Appointment of the First Native American Treasurer and Creation of Office of Tribal and Native Affairs

Today, President Biden announced his intent to appoint Marilyn “Lynn” Malerba, Lifetime Chief of the Mohegan Indian Tribe, as Treasurer of the United States. Chief Malerba is the first female chief of her Tribal nation and will be the first Native American Treasurer at the Treasury Department. Chief Malerba brings decades of community and economic development experience for Tribal and underserved communities to her new role and previously served as a member for the Treasury Tribal Advisory Committee. For the first time in history, a Tribal leader and Native woman’s signature will be on our currency. Chief Malerba will also oversee the U.S. Mint, which released the Wilma Mankiller Quarter earlier this month, honoring the first female Principal Chief of the Cherokee Nation.

Further, Treasury is announcing the establishment of a new Office of Tribal and Native Affairs, which will report to the Treasurer and coordinate Tribal relations throughout the Department. At its outset, this office will be staffed by employees that are currently in the Office of Recovery Programs’ Tribal Policy and Engagement Team. Treasury created this Tribal team in 2021 as part of its efforts to develop Treasury’s growing relationship with Tribal nations. The new Office of Tribal and Native Affairs will work across Treasury’s portfolio on issues related to Tribal nations, and Treasury intends to work with Congress to ensure this office has the resources it needs to carry out its mission.

Treasury’s Implementation of Recovery and Relief Funds¹

Historic fiscal relief to support Tribal governments responding to the pandemic: As part of the American Rescue Plan, the State and Local Fiscal Recovery Funds (SLFRF) provided a \$20 billion Tribal allocation to Tribal governments – the largest single infusion of federal dollars into Indian Country. Tribal governments and their communities face some of the country’s worst economic conditions and poorest health outcomes – which were exacerbated by the pandemic – and lack the resources to generate revenue comparable to state and local governments. As a response, SLFRF has provided governments with the resources to fight the pandemic and support families and business struggling with its public health and economic impacts, maintain vital public services amid declines in revenue resulting from the crisis, and give governments the tools for long-term growth and opportunity.

Tribal governments have used this funding to develop affordable housing, expand access to clean drinking water, increase food security, and provide job training and child care, as well as on small business grants and other efforts to support further economic recovery. Examples of SLFRF projects include:

- The **Rosebud Sioux Tribe** is investing SLFRF in several substantial housing projects. With housing costs on the rise, the Tribe saw SLFRF as an important tool to address overcrowding, a lack of affordable housing on the reservation, and a rapidly growing population.
- The **Ketchikan Indian Community** is using SLFRF to provide premium pay to 195 Tribal government essential workers that included sectors such as behavioral, childcare, and elder care.
- The **Santa Rosa Rancheria** is constructing several water, sewer, and fire prevention programs to not only improve the Tribe’s infrastructure but also to protect the surrounding community from wildfires.

In response to extensive Tribal feedback, Treasury adopted flexibility in the SLFRF final rule, including by allowing governments to elect a “standard allowance” of up to \$10 million of revenue loss to spend on government services and permitting governments to use these revenue loss funds as non-federal match. Treasury presumes households and populations receiving services provided by Tribal governments, as well as small businesses and nonprofits operated by Tribal governments or on Tribal lands, to be disproportionately impacted by the public health and negative economic impacts of the pandemic. Additionally, Treasury tiered Tribal compliance and reporting for Tribes allocated less than \$30 million in SLFRF funding, only requiring them to submit annual project and expenditure reports rather than quarterly reporting.

The SLFRF built upon the \$8 billion Treasury implemented under the Coronavirus Relief Fund (CRF), established by the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Additionally, ARPA established the Local Assistance and Tribal Consistency Fund (LATCF)

¹ The examples included throughout this fact sheet are based on recipient reports and publicly-available information, and their inclusion in this document does not constitute an explicit approval of these projects by Treasury.

which provides a \$500 million Tribal set aside, for the use of any governmental purpose, except for lobbying activity to serve as a general revenue enhancement program. Treasury is currently developing this program and will release more information soon.

Providing support to tribes to keep families in their homes: In response to acute housing challenges across Indian Country that were exacerbated by the pandemic, Treasury has provided \$800 million for Tribal governments, Tribally Designated Housing Authorities (TDHEs), and the Department of Hawaiian Homelands to assist eligible, low-income households on or off Tribal lands with rental and utility payments and housing stability services as part of the Emergency Rental Assistance (ERA) program. Treasury has made payments to 301 Tribal governments and TDHEs administering programs under the program, which was created under the Consolidated Appropriations Act, 2021. Tribes have been able to assist thousands of renters, including:

- The **Fort Belknap Tribal Housing Authority** is assisting eligible households, anyone living on the reservation and Tribal members living off the reservation, with rental payments and arrears, and utility costs arrears, as well as other eligible expenses. To date, it has served almost 300 households through ERA.
- The **Housing Authority of the Sac and Fox Nation** is assisting households, native and non-native, with rental and utility payments. It has been able to assist many previously homeless applicants to find housing and has prevented evictions and housing displacement. With ERA funds, the Housing Authority has assisted nearly 250 households with rental payments and nearly 220 households with utility payments.

In addition, the ARPA established the Homeowner Assistance Fund (HAF), which provides a \$496 million set-aside for Tribal governments, Tribally Designated Housing Authorities (TDHEs), and the Department of Hawaiian Homeland for assistance with mortgage payments, homeowner's insurance, utility payments, and other qualified expenses related to mortgages and housing for low-income households affected by the pandemic. Tribes have supported homeowners on and off Tribal lands with mortgage payments, gas, electric, internet, water, and insurance assistance.

Investing in Tribal small businesses: ARPA provides funding for Tribal governments to participate in the State Small Business Credit Initiative (SSBCI), including a \$500 million allocation specific to Tribal governments. This program allows jurisdictions to establish small business capital programs, such as equity/venture capital programs, loan participation programs, loan guarantee programs, collateral support programs, and capital access programs (CAPs). SSBCI will provide credit and investment opportunities for Tribal enterprises and small business owners. Treasury is currently reviewing applications that have been submitted, and Treasury will accept Tribal applications for SSBCI funding until September 1, 2022.

Expanding access to affordable broadband in Indian Country: Under the American Rescue Plan, Treasury established the Capital Projects Fund (CPF) – which provides a \$100 million set aside allocated in equal shares to Tribal governments and the State of Hawaii for the Department of Hawaiian Homelands and Native Hawaiian Education Programs. Tribal governments and Native communities face various barriers to deploying broadband to their communities, including lack

of funding and insufficient data, resulting in over half of rural Tribal communities lacking fixed broadband coverage, according to the Federal Communications Commission (FCC). Treasury has coordinated with the National Telecommunications and Information Agency's (NTIA) Tribal Broadband Connectivity Fund for a cross-agency approach to deploy broadband in Indian Country. Tribal governments have used CPF funding on broadband infrastructure projects, multi-purpose facilities, connectivity devices, and projects to access high-speed internet. Specific Tribal project examples include:

- The **Yavapai-Prescott Indian Tribe** will increase capacity and improve broadband connectivity by upgrading existing infrastructure with dedicated fiber-optic backhaul.
- The **Eklutna Native Village** will develop a multi-use center that will host health screenings, vocational trainings, and cultural education events.
- The **Rosebud Sioux Tribe** will upgrade their network infrastructure hardware and software.

Treasury's Increased Engagement With Tribal Nations: The Office of Recovery Programs was created in 2021 to oversee the Department's implementation of economic relief and recovery programs. As part of this work, Treasury established a Tribal Policy and Engagement team – comprised of four Tribal citizens with experience in Tribal policy, government, and economic development – to help lead the implementation of over \$30 billion in direct Tribal recovery set-asides authorized under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Consolidated Appropriations Act, 2021 (CAA), and the American Rescue Plan Act of 2021 (ARPA). Since the establishment of the Tribal team in 2021, Treasury has substantially increased its consultation and government-to-government engagement with Tribal nations, resulting in incorporation of Tribal sovereignty and self-governance into program implementation in support of public health and economic recovery.

Consultations and Engagement: Treasury has prioritized Tribal engagement by increasing the amount of Tribal consultations and engagements, trainings, and compliance support measures significantly over the past year.

- Since the beginning of 2021, Treasury has held 15 Tribal consultations and over 100 engagement sessions ranging from compliance training to regional information sessions.
- In recognition that many Tribes lack access to broadband, Treasury has instituted one-on-one outreach to supplement email notifications, through calls and engagement with Tribal organizations on the ground.
- Treasury has partnered with BIA regions and the White House Council on Native American Affairs to disseminate information and coordinate with other Federal agencies.
- Treasury has held national and regional information sessions and webinars to support more interactive engagement, -- including in partnership with Tribal organizations – while establishing office hours for selected programs.

Policy Implementation: Over the past year, Treasury has sought to integrate Tribal leader feedback into policy implementation to ensure the needs and unique status of Tribal governments are reflected in our deployment of recovery funds to Tribal nations. For example, based on Tribal feedback, Treasury has incorporated the use of self-certified tribal data into the State and Local Fiscal Recovery Funds and the Emergency Rental Assistance program.

Treasury's government-to-government engagements have also shaped the Department's approach to providing customized guidance for Tribes as well as incorporating flexibility that defers to Tribal expertise on the communities they serve on- and off-reservation, Tribal and non-Tribal. In response to Tribal feedback on the multiple roles that Tribal enterprises serve in Tribal economies, for example, the State Small Business Credit Initiative permits certain Tribal enterprise revenues to count toward key financing requirements. Likewise, the final rule for the State and Local Fiscal Recovery Funds program simplifies administration so small businesses operated by Tribal governments or on Tribal lands are presumed to be disproportionately impacted by the public health and negative economic impacts of the pandemic.

Engagement with Tribal leaders has also shaped Treasury's understanding of the impact of the pandemic on Tribal workforces. As a result, Treasury has consistently extended Tribal deadlines across programs where it has discretion to enable more Tribes to apply for funding, streamlined Tribal applications in programs like the Capital Projects Fund, or reduced and/or tiered reporting for Tribal governments in recognition of the varying capacities of Tribes, which range in size from communities of 10 citizens to over 400,000.