

1 (B) to schedule and provide individual ori-  
2 entations using free telephone calls or remote  
3 videoconferencing.

4 (c) PERIOD DESCRIBED.—The period described in  
5 this subsection—

6 (1) begins on the first day of the public health  
7 emergency declared by the Secretary of Health and  
8 Human Services under section 319 of the Public  
9 Health Service Act (42 U.S.C. 247d) with respect to  
10 COVID–19; and

11 (2) ends 90 days after the date on which such  
12 public health emergency terminates.

13 **TITLE XIII—CORONAVIRUS**  
14 **RELIEF FUND AMENDMENTS**

15 **SEC. 191301. CONGRESSIONAL INTENT RELATING TO TRIB-**  
16 **AL GOVERNMENTS ELIGIBLE FOR**  
17 **CORONAVIRUS RELIEF FUND PAYMENTS.**

18 (a) PURPOSE.—The purpose of this section and the  
19 amendments made by subsection (b) is to affirm the April  
20 27, 2020, memorandum and decision of the United States  
21 District Court for the District of Columbia in *Confederated*  
22 *Tribes of the Chehalis Reservation et al v. Mnuchin* (Case  
23 No. 1:20–cv–01002) and clarify the intent of Congress  
24 that only Federally recognized Tribal Governments are eli-  
25 gible for payments from the Coronavirus Relief Fund es-

1 tablished in section 601 of the Social Security Act, as  
2 added by section 5001(a) of the Coronavirus Aid, Relief,  
3 and Economic Security Act (Public Law 116–136).

4 (b) ELIGIBLE TRIBAL GOVERNMENTS.—Effective as  
5 if included in the enactment of the Coronavirus Aid, Re-  
6 lief, and Economic Security Act (Public Law 116–136),  
7 section 601 of the Social Security Act, as added by section  
8 5001(a) of the Coronavirus Aid, Relief, and Economic Se-  
9 curity Act, is amended—

10 (1) in subsection (c)(7), by striking “Indian  
11 Tribes” and inserting “Tribal Governments”; and

12 (2) in subsection (g)—

13 (A) by striking paragraph (1);

14 (B) by redesignating paragraphs (2)  
15 through (5) as paragraphs (1) through (4), re-  
16 spectively; and

17 (C) by striking paragraph (4) (as redesign-  
18 nated by subparagraph (B)) and inserting the  
19 following:

20 “(4) TRIBAL GOVERNMENT.—The term ‘Tribal  
21 Government’ means the recognized governing body  
22 of any Indian or Alaska Native tribe, band, nation,  
23 pueblo, village, community, component band, or com-  
24 ponent reservation, individually identified (including  
25 parenthetically) in the list published most recently as

1 of the date of enactment of this Act pursuant to sec-  
2 tion 104 of the Federally Recognized Indian Tribe  
3 List Act of 1994 (25 U.S.C. 5131).”.

4 (c) RULES RELATING TO PAYMENTS MADE BEFORE  
5 THE DATE OF ENACTMENT OF THIS ACT.—

6 (1) PAYMENTS MADE TO INELIGIBLE ENTI-  
7 TIES.—The Secretary of the Treasury shall require  
8 any entity that was not eligible to receive a payment  
9 from the amount set aside for fiscal year 2020  
10 under subsection (a)(2)(B) of section 601 of the So-  
11 cial Security Act, as added by section 5001(a) of the  
12 Coronavirus Aid, Relief, and Economic Security Act  
13 (Public Law 116–136) and after the application of  
14 the amendments made by subsection (a) clarifying  
15 congressional intent relating to eligibility for such a  
16 payment, to return the full payment to the Depart-  
17 ment.

18 (2) DISTRIBUTION OF PAYMENTS RETURNED  
19 BY INELIGIBLE ENTITIES.—The Secretary of the  
20 Treasury shall distribute payments returned under  
21 paragraph (1), without further appropriation or fis-  
22 cal year limitation and not later than 7 days after  
23 receiving any returned funds as required under  
24 paragraph (1) to Tribal Governments eligible for  
25 payments under such section 601 of the Social Secu-

1        rity Act, as amended by subsection (a), in accord-  
2        ance with subsection (c)(7) of such Act.

3            (3) LIMITATION ON SECRETARIAL AUTHOR-  
4        ITY.—The Secretary of the Treasury is prohibited  
5        from requiring an entity that is eligible for a pay-  
6        ment from the amount set aside for fiscal year 2020  
7        under subsection (a)(2)(B) of section 601 of the So-  
8        cial Security Act, as amended by subsection(a), and  
9        that received a payment before the date of enact-  
10       ment of this Act, from requiring the entity to return  
11       all or part of the payment except to the extent au-  
12       thorized under section 601(f) of such Act in the case  
13       of a determination by the Inspector General of the  
14       Department of the Treasury that the Tribal govern-  
15       ment failed to comply with the use of funds require-  
16       ments of section 601(d) of such Act.

17   **SEC. 191302. REDISTRIBUTION OF AMOUNTS RECOVERED**  
18                            **OR RECOUPED FROM PAYMENTS FOR TRIBAL**  
19                            **GOVERNMENTS;    REPORTING    REQUIRE-**  
20                            **MENTS.**

21        Effective as if included in the enactment of the  
22        Coronavirus Aid, Relief, and Economic Security Act (Pub-  
23        lic Law 116–136), section 601(c)(7) of the Social Security  
24        Act, as added by section 5001(a) of the Coronavirus Aid,  
25        Relief, and Economic Security Act, is amended—

1 (1) by striking “From the amount” and insert-  
2 ing the following:

3 “(A) IN GENERAL.—From the amount”;  
4 and

5 (2) by adding at the end the following:

6 “(B) REDISTRIBUTION OF FUNDS.—

7 “(i) REQUIREMENT.—In carrying out  
8 the requirement under subparagraph (A)  
9 to ensure that all amounts available under  
10 subsection (a)(2)(B) for fiscal year 2020  
11 are distributed to Tribal governments, the  
12 Secretary shall redistribute any amounts  
13 from payments for Tribal Governments  
14 that are recovered through recoupment ac-  
15 tivities carried out by the Inspector Gen-  
16 eral of the Department of the Treasury  
17 under subsection (f), without further ap-  
18 propriation, using a procedure and meth-  
19 odology determined by the Secretary in  
20 consultation with Tribal Governments, to  
21 Tribal Governments that apply for pay-  
22 ments from such amounts.

23 “(ii) REPAYMENT.—In carrying out  
24 the recoupment activities by the Inspector  
25 General of the Department of the Treasury

1 under subsection (f), Treasury shall not  
2 impose any additional fees, penalties, or in-  
3 terest payments on Tribal Governments as-  
4 sociated with any amounts that are recov-  
5 ered.

6 “(C) DISCLOSURE AND REPORTING RE-  
7 QUIREMENTS.—

8 “(i) DISCLOSURE OF FUNDING FOR-  
9 MULA AND METHODOLOGY.—Not later  
10 than 24 hours before any payments for  
11 Tribal Governments are distributed by the  
12 Secretary pursuant to the requirements  
13 under subparagraph (A) and subparagraph  
14 (B), the Secretary shall publish on the  
15 website of the Department of the Treas-  
16 ury—

17 “(I) a detailed description of the  
18 funding allocation formula; and

19 “(II) a detailed description of the  
20 procedure and methodology used to  
21 determine the funding allocation for-  
22 mula.

23 “(ii) REPORT TO CONGRESS.—No  
24 later than 7 days after payments for Tribal  
25 Governments are distributed by the Sec-

1           retary pursuant to the requirements under  
2           subparagraph (A) or subparagraph (B),  
3           the Secretary shall submit to the Commit-  
4           tees on Appropriations of the House of  
5           Representatives and the Senate, the Chair  
6           and Ranking Members of the House Com-  
7           mittee on Natural Resources and the Chair  
8           and Vice-Chair of the Senate Committee  
9           on Indian Affairs a report summarizing—

10                   “(I) an overview of actions taken  
11                   by the Secretary in carrying out the  
12                   requirements under subparagraph (A)  
13                   and subparagraph (B); and

14                   “(II) the date and amount of all  
15                   fund disbursements, broken down by  
16                   individual Tribal Government recipi-  
17                   ents.”.

18   **SEC. 191303. USE OF RELIEF FUNDS.**

19           Effective as if included in the Coronavirus, Aid, Re-  
20    lief, and Economic Security Act (Public Law 116–136),  
21    section 601 of the Social Security Act, as added by section  
22    5001(a) of such Act, is amended by striking subsection  
23    (d) and inserting the following:

1 “(d) USE OF FUNDS.—A State, Tribal government,  
2 and unit of local government shall use the funds provided  
3 under a payment made under this section to

4 “(1) cover only those costs of the State, Tribal  
5 government, or unit of local government that—

6 “(A) Are necessary expenditures incurred  
7 due to the public health emergency with respect  
8 to the coronavirus disease 2019 (COVID–19);

9 “(B) were not accounted for in the budget  
10 most recently approved as of the date of enact-  
11 ment of this section for the State or govern-  
12 ment; and

13 “(C) were incurred during the period that  
14 begins on January 31, 2020, and ends on De-  
15 cember 31, 2020; or

16 “(2) Replace lost, delayed, or decreased reve-  
17 nues, stemming from the public health emergency  
18 with respect to the coronavirus disease (COVID–  
19 19).”.

## 20 **TITLE XIV—RURAL DIGITAL** 21 **OPPORTUNITY**

### 22 **SEC. 191401. ACCELERATION OF RURAL DIGITAL OPPOR-** 23 **TUNITY FUND PHASE I AUCTION.**

24 With respect to the Rural Digital Opportunity Fund  
25 Phase I auction (in this section referred to as the “auc-