[Letterhead]

[Date]

Re: HEROES Act (4th COVID-19 Relief Package)

Dear Senators and Representatives:

I write on behalf of the [\_\_\_\_\_\_\_\_\_\_\_\_\_ Nation/Tribe] to support the enactment of the Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act. With more than 33 million Americans filing for unemployment, the coronavirus has triggered the worst unemployment crisis the history of our nation. While individuals testing positive for COVID-19 have plateaued in some regions, it remains on the rise in many areas of the United States and throughout Indian Country. The HEROES Act will greatly assist individual Americans and all forms of government in the United States get through this crisis from an economic and health care standpoint.

Tribal Governments closed public facilities, including our Indian gaming and hospitality operations to stop the spread of the virus. Without a tax base to generate government revenue, Indian tribes rely on tribally-owned enterprises to generate basic governmental revenue to support tribal government programs and services such as education, health care, police and fire protection, water, sewer, and sanitation, child and elder care, language, cultural centers to Reservation residents. We are struggling with lost revenue, unemployment, the economic crisis and the public health emergency.

In the circumstances, we call upon Congress to enact the 4th COVID-19 Relief Package to shore up the economy, provide support for Coronavirus testing/tracking, basic health care, education, housing, highway, unemployment benefits, and in particular, we support:

* **State-Local-Tribal Coronavirus Relief Funding**, including the $20 Billion Tribal Government Set-Aside to address Lost Revenue, Economic Hardship, Emergency Expenditures and Other Purposes;
* **Lost Revenue** must be addressed because Indian nations and tribes are working pursuant to Federal standards to address the National Emergency, and our loss of revenue for essential government services;
* **Economic Hardship** must be addressed because Indian nations and tribes are

are devastated economically by the complete closure of our economies;

* **Federally Recognized Indian Tribe List Act,** which recognizes Indian nations as Tribal Governments based upon our “inherent sovereignty” must be used to honor our government-to-government relationship with the United States;
* **Enrolled Tribal Members** are referred to by the Constitution as “Indians not taxed,” owing original political allegiance to our Indian nations as tribal citizens; our sovereign political status—not a racial group of Native Americans—is embodied in our tribal citizens, whose numbers should be used to define our tribal populations for Federal relationships and Federal funding;
* **Extension of the SBA Paycheck Protection Program**, and we request a Tribal Government Set-Aside because small tribal gaming was left out of the initial package through bureaucratic red-tape; this can be achieved through Native CDFIs, banks and financial institutions; and
* **Indian treaty rule of construction**: treaties and statutes must be construed for the benefit of Indian tribes, and any ambiguity should be resolved in favor of Indian tribes. *See* 25 U.S.C. sec. 139E note; Public Law 113-168 (2014). This rule should apply to all of the CARES Act legislation.

As we slowly and responsibly consider easing Tribal Government shelter-in-place policies, Indian tribes need the critical resources that the HEROES Act will provide to ensure the health and general care of our citizens and the viability of our tribal government-owned enterprises. We appreciate your leadership in development of the HEROES Act, and again, we fully support its passage. Working together, America will emerge from this pandemic with strength and fortitude to face the many challenges that lie ahead.

Sincerely,

[Tribal Leader]