



The COVID-19 Pandemic and Indian Country

The seasoned practitioners on Holland & Knight's Native American Law Team are actively engaged in the diverse battlefronts of the COVID-19 pandemic that threaten to undermine the health and welfare of Indian tribes and tribal economies. We bring to this present challenge decades of deep respect for the traditional values and contributions of our tribal clients, providing them with the same creative and skilled legal representation demanded of us by our other government and corporate clients. We do not rest until we've done our utmost to help our tribal clients prevail.

SEIZING OPPORTUNITIES FOR EMERGENCY FUNDING

A flood of funding announcements has poured out of many federal agencies, and more are expected in the coming months. We help tribes seek funding by navigating program hurdles that are often magnified by misunderstandings because tribes are made eligible for the first time. Federal funds are newly available for medical device and supply procurement, hospital preparedness, vaccine and drug development, public safety, housing assistance, deployment of Wi-Fi hotspots and computers for students, nutrition assistance and food distribution. Unprecedented amounts of supplemental emergency relief funding has been appropriated and distributed within the span of weeks to Indian tribes through the federal Coronavirus Relief Fund and Paycheck Protection Program as well as through the Bureau of Indian Affairs, Indian Health Service, Federal Emergency Management Administration, Economic Development Administration and many other agencies.

Holland & Knight practitioners, with well-honed skills developed in past battles, are dynamically positioned to assist tribal clients with strategic and legal advice on how to use these funds for maximum effect while meeting compliance requirements and managing federal oversight. For example, Holland & Knight is actively advising tribal clients on key issues related to COVID-19-related funding, such as:

- How might they use their General Welfare Exclusion authority to make COVID-19-related funding distributions to members?
- Under what circumstances might their employee salaries be made an approved COVID-19-related expenditure?
- How might they meet the requirement to "expend" all of their Coronavirus Relief Funds by Dec. 30, 2020?
- How might they spend COVID-19-related funds in ways that simultaneously address the impacts of the COVID-19 pandemic *and* long-term tribal infrastructure and economic development?
- What can they do *now* to avoid or prepare for an Inspector General audit in 2021?
- How might they maximize their loan amounts under the Paycheck Protection Program and successfully get such loans forgiven?

In addition to emergency funding, Holland & Knight can also assist with expanding tribal advocacy in Washington, D.C.; healthcare policy, including testing and treatment; and prudent risk/crisis management.



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