

# United States Senate

WASHINGTON, DC 20510

December 4, 2020

The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Charles Schumer  
Minority Leader  
United States Senate  
Washington, D.C. 20510

Dear Leader McConnell and Leader Schumer:

We write to request that you include provisions in end-of-year legislation to extend the deadline by which states, localities, Tribes, and territories must spend their Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) funding.

The Coronavirus Relief Fund (CRF, or the “Fund”) has been a popular program in Nevada and across the country, and it has played a critical role in slowing the spread of COVID-19 and keeping communities safe. As you know, section 5001 of the CARES Act established the CRF, and Congress appropriated \$150 billion to the Fund to make payments to states, localities, Tribes, and territories so they could respond to the public health emergency. In Nevada, our counties, cities, and towns from Henderson to Elko have responded quickly and utilized payments from the Fund to, among other things, establish COVID-19 testing and treatment sites, pay for costs associated with contact tracing and conducting COVID-19 tests, purchase personal protective equipment for health care personnel, pay frontline public health and safety officials, expand access to nutrition programs and programs to care for those experiencing homelessness, and provide grant funding to small businesses. We have also heard from our state’s Tribal governments that they have successfully utilized allotments from the Fund to make improvements to their sanitation programs and water systems and provide distance learning equipment and internet access to their school children. Additionally, grant subrecipients, including nonprofit organizations providing vital services, have used CRF funds to expand after-school programs and food delivery systems to combat child hunger.


Unfortunately, the deadline to use CRF payments is fast approaching, and not all jurisdictions have been afforded timely, equal access to their allocations. States, localities, Tribes, and territories are required to spend their CRF funding by December 30, 2020. However, because the Department of the Treasury did not meet the statutory deadline to disburse CRF payments to Tribal governments, Tribes have been forced to operate on an accelerated timeline in which to spend their payments, all while facing supply chain constraints and a shortage of contractors and workers to complete critical infrastructure projects, including building broadband, that cannot realistically be finished by the end of the calendar year. Treasury’s untimely distribution of funding to Tribes has placed Tribal governments, including many in Nevada, at a clear operational disadvantage compared to other jurisdictions, an error which has only exacerbated the devastating health and economic impacts on these communities that have been so disproportionately affected by COVID-19.

Moreover, this deadline – included in legislation Congress passed over eight months ago, in the early days of the pandemic – does not take into account the fact that the virus is currently

ravaging Nevada and the country at unprecedented rates, with the United States breaking daily and weekly COVID-19 case and death records, and state and local health care systems at or near full capacity, or already beyond their breaking points. Sadly, Nevada has witnessed over 150,000 cases of COVID-19 and over 2,000 deaths. While we celebrate the promising news of breakthroughs in COVID-19 vaccine development, the public health emergency will not end on December 30, 2020, and our states, localities, and Tribes will rightfully continue to focus their attention on responding to the health and economic impacts of COVID-19 long after this date. Therefore, Congress must continue to provide these jurisdictions reasonable flexibility in accessing and spending their CRF allotments.

As Congress considers year-end legislation, we respectfully request that you give special consideration to the states, localities, territories, and Tribes that are on the front lines of the COVID-19 pandemic, and support them by extending the deadline by which they must spend their CRF payments beyond December 30, 2020. We are pleased to see that recently proposed COVID-19 relief legislation drafts include this fix, and we ask you to ensure its passage in any final legislative package. While it remains clear that these entities need additional funds to weather the remainder of this economic crisis, providing this extension in the interim is a fundamental first step in ensuring our states, localities, territories and Tribes have the resources to combat this deadly virus. Thank you for your attention to this important matter.

Sincerely,

  
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Jacky Rosen  
United States Senator

  
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Catherine Cortez Masto  
United States Senator