



April 13, 2020

The Honorable Steven Mnuchin
Secretary of Treasury
1500 Pennsylvania Ave. NW
Washington, D.C. 20220
Tribal.consult@treasury.gov

The Honorable David Bernhardt
Secretary of the Interior
1849 C St. NW
Washington D.C. 20240
Consultation@bia.gov

Re: Updated Comments on CARES Act and Tribal Governments

Dear Secretaries Mnuchin and Bernhardt:

On behalf of the California Nations Indian Gaming Association (CNIGA), the largest association of Tribal Governments in the State of California, we write to provide these supplemental comments to our April 6, 2020 letter regarding the appropriations to Tribal governments under the CARES Act.

It was the clear intent of Congress that the Coronavirus Relief Fund be used to help State, local and Tribal governments to meet their ongoing financial obligations and expenditures in the face of declining revenues. This funding was provided to us in recognition that, unlike corporate enterprises, government run businesses provide funding for essential government services such as public safety, and healthcare.

CNIGA and member tribes continue to urge the Treasury Department to use the following 3-step formula that focuses primarily on the **actual economic impact of COVID-19** as required by the CARES Act:

STEP 1: Provide a \$1,000,000 **minimum distribution** to each Tribe to ensure that even the smallest Tribes have funding to address their economic needs during the pandemic.

STEP 2: Distribute \$1,500,000,000 to each Tribe *pro rata* based on each Tribe's enrolled tribal member **population** to ensure that larger Tribes have additional funding to address their economic needs.

STEP 3: Distribute the remainder of the \$8,000,000,000 fund to each Tribe *pro rata* based on **economic impact, measured by total wages paid** by the Tribe and all of its wholly owned enterprises in 2019. If requested to do so, Tribes may be required to self-certify.

We are aware of proposals for distributions to for-profit Alaska Native Corporations that pay individual shareholders. It is our position that Title V funding should be reserved for tribal

Protecting the sovereign right of California tribes to operate gaming on their lands.

governments. While we strongly support necessary funding for federally recognized Alaska Native Villages alongside all federally recognized tribes, we cannot support disbursements to non-governmental entities that were otherwise set-aside for Tribal Governments. Funding for corporate shareholders is available through the corporate funding mechanisms of the CARES Act, which tribal governments are not eligible to access.

We urge the Treasury Department to remain focused on ensuring its distribution formula prioritizes the actual economic impact of COVID-19 on tribal governments, regardless of which applicants are ultimately deemed to be eligible. A focus on tribal economic need is the single most critical element of a fair and equitable distribution formula, and it is of paramount importance at this juncture.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Siva', with a stylized, cursive script.

James Siva
Chairman