



Affiliated Tribes of Northwest Indians

Dedicated to Promoting Tribal Self Determination & Sovereignty

Executive Board

March 31, 2020

President

Leonard Forsman
360-394-8461

The Honorable Steven T. Mnuchin Secretary
United States Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, D.C. 20220

1st Vice-President

Mel Sheldon Jr.
425-501-0711

2nd Vice-President

Delano Saluskin
509-865-5121

3rd Vice-President

Jon George
503-879-5211

Implementation of COVID Relief

Dear Secretary Mnuchin:

Secretary

Norma Jean Louie
208-686-2061

On behalf of the Affiliated Tribes of Northwest Indians (ATNI), representing nearly 50 Tribes in the greater Pacific Northwest since 1953, I write to request your urgent attention to matters delegated to you under the Coronavirus Aid, Relief, and Economic Security ("CARES") Act as it pertains to Indian tribes and, as a matter of the federal government's trust responsibility to Tribes.

Treasurer

Sharon Goudy
509-865-7156

Assistant Secretary

Taylor Aalvik
360-575-1952

Executive ATNI Staff

Executive Director

Terri Parr
509-981-8500

The Coronavirus Relief Fund (CARES Act) reserves \$8 billion for payments to tribal governments to use for expenditures incurred due to the public health emergency with respect to COVID-19. Title VI, Sec. 601(c)(7) requires the Secretary to determine, in consultation with the Secretary of the Interior and Indian tribes, the amounts paid to each tribal government based on increased expenditures of each tribal government or a tribally owned enterprise relative to their combined total expenditures in fiscal year 2019.

The Pacific Northwest Tribes were some of the earliest to be impacted by COVID-19 and have realized severe adverse affects on tribal economies and services as a result of the pandemic. Unable to use a tax base to generate revenue, many tribal governments rely on tribally-owned businesses to generate revenue that fund basic programs and services for their communities. In response to the pandemic, and in order to protect public safety, tribal governments have closed their tribally-owned businesses. Without this critical source of revenue, tribal governments are struggling to maintain their workforce levels and honor their financial obligations and commitments.

Because the \$8 billion of the relief fund must be paid to each tribal government no later than April 27, we are writing with urgency to recommend that, as you provide guidance to tribal governments with regard to the relief fund, you adhere to the congressional intent expressed in the floor colloquy between key members of the U.S. House Committees on Ways & Means, Natural Resources, and Appropriations while the CARES Act was being considered for final House passage on March 28, 2020. A copy of this colloquy is attached.

We also request that you work with the Secretary of the Interior and Indian tribes to take into account the full scope of increased expenditures that tribal governments and tribally-owned

enterprises have incurred and are likely to incur in the months ahead. To ensure that the CARES Act achieves Title V's purpose of helping to stabilize tribal governments and tribal economies, we urge the Secretary to take into account the wide array of costs shouldered by tribal governments and their tribally-owned enterprises as they respond to the pandemic.

Specifically, we urge that COVID-19 related "increased expenditures" be **broadly** interpreted to include, but not be limited to, incurred and reasonably anticipated costs of a tribal government or their tribally owned enterprise between March 1, 2020 and December 30, 2020, such as:

- expenditures that otherwise would have been funded prior to the loss of revenue;
- expenditures associated with the diminished capacity or closure of governments or enterprises;
- payments, including payroll and related expenses, for employees while governments or entities are at diminished capacity or closed;
- costs of financing incurred due to increased expenditures; and
- differences in revenues in 2020 relative to the same period in 2019.

As you issue your immediate interim guidance, we ask that it confirm the general categories of additional expenditures listed above to be included as permissible uses of the Fund. With Tribes making critical decisions in response to the COVID-19 crisis on very compressed timelines, guidance from your department will assist tribal governments in mitigating the broad impacts and costs of the pandemic. ATNI urges the Department to utilize government-to-government consultations with Indian tribes and the Interior Department to finalize guidance.

Tribal governments and the tribally-owned enterprises that fund them are on the front lines of the COVID-19 response in Indian Country. ATNI calls for the stabilization of tribal governments and tribal economies as they are essential to protecting our governmental services, employees, and economic future. Accordingly, we submit this letter to assist your implementation of Title V of the CARES Act.

Respectfully,

A handwritten signature in black ink, appearing to read "Leonard Forsman", with a long horizontal flourish extending to the right.

Leonard Forsman, President
Affiliated Tribes of Northwest Indians