



USET

SOVEREIGNTY PROTECTION FUND

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Transmitted Electronically

June 25, 2020

The Honorable Steven Mnuchin
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

Dear Secretary Mnuchin,

On behalf of United South and Eastern Tribes Sovereignty Protection Fund (USET SPF), we write to request greater clarity and transparency in Treasury's administration of the \$8 billion Coronavirus Relief Fund (CRF) set aside for Tribal Nations under Title V of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. USET SPF Tribal Nations continue to have several outstanding questions regarding eligible CRF expenditures, documentation, and recoupment procedures. At the same time, it remains somewhat unclear exactly how each Tribal Nation's individual allocation was calculated under Treasury's methodology. In pursuit of these necessary details, we are seeking additional action from Treasury.

USET SPF is a non-profit, inter-Tribal organization advocating on behalf of thirty (30) federally recognized Tribal Nations from the Northeastern Woodlands to the Everglades and across the Gulf of Mexico¹. USET SPF is dedicated to promoting, protecting, and advancing the inherent sovereign rights and authorities of Tribal Nations, and assisting our membership in dealing effectively with public policy issues. Collectively, our member Tribal Nations represent diverse cultures, backgrounds, structures, and socio-economic interests—much like those found more broadly throughout Indian Country.

Need for FAQs and/or Technical Assistance Specific to Tribal Governments

In our [comments](#) to Treasury and the Department of the Interior during the consultation period, USET SPF advocated against imposing a prescriptive list of allowable expenses for Tribal Nations. While we continue to hold this position, there exists a dearth of information in Treasury's guidance or FAQs that relates specifically to the unique circumstances and structures of Tribal Nations as we seek to expend these resources. This is compounded by the lack of clear instructions on the process for submitting questions or point of contact to provide answers. This is leaving many Tribal Nations with an untenable position when it comes to determining how to expend CRF resources under a quickly approaching deadline. USET SPF

¹ USET SPF member Tribal Nations include: Alabama-Coushatta Tribe of Texas (TX), Aroostook Band of Micmac Indians (ME), Catawba Indian Nation (SC), Cayuga Nation (NY), Chickahominy Indian Tribe (VA), Chickahominy Indian Tribe—Eastern Division (VA), Chitimacha Tribe of Louisiana (LA), Coushatta Tribe of Louisiana (LA), Eastern Band of Cherokee Indians (NC), Houlton Band of Maliseet Indians (ME), Jena Band of Choctaw Indians (LA), Mashantucket Pequot Indian Tribe (CT), Mashpee Wampanoag Tribe (MA), Miccosukee Tribe of Indians of Florida (FL), Mississippi Band of Choctaw Indians (MS), Mohegan Tribe of Indians of Connecticut (CT), Narragansett Indian Tribe (RI), Oneida Indian Nation (NY), Pamunkey Indian Tribe (VA), Passamaquoddy Tribe at Indian Township (ME), Passamaquoddy Tribe at Pleasant Point (ME), Penobscot Indian Nation (ME), Poarch Band of Creek Indians (AL), Rappahannock Tribe (VA), Saint Regis Mohawk Tribe (NY), Seminole Tribe of Florida (FL), Seneca Nation of Indians (NY), Shinnecock Indian Nation (NY), Tunica-Biloxi Tribe of Louisiana (LA), and the Wampanoag Tribe of Gay Head (Aquinnah) (MA).

Because there is strength in Unity

asserts that governmental flexibility and additional clarity on CRF expenditures and processes are not mutually exclusive. It is with this in mind that we request an FAQ document that addresses those questions most commonly posed by Tribal Nations. Further, Treasury must clearly indicate how Indian Country can suggest questions for the FAQ and/or otherwise receive answers. We note that the Department of Health and Human Services has established a hotline for questions on the Provider Relief Fund. Perhaps this could also be an option for Treasury.

Provide Each Tribal Nation with CRF Calculations

In addition to clarity on allowable expenditures and other logistical questions, Tribal Nations are also seeking transparency in Treasury's process for determining individual allocations. While Treasury has provided overviews of the methodology utilized for both the first and second distributions, these do not provide the level of detail necessary for an understanding of how the agency arrived at the total CRF funding received by each Tribal Nation. It remains unclear to many, particularly those who have received small distributions, precisely how the information provided influenced each distribution. In order to clear up any confusion surrounding these numbers and Treasury's deliberative process, we ask that Treasury provide each Tribal Nation with the calculations used to determine our respective distributions.

USET SPF is making these requests in the spirit of good governance and transparency, and in accordance with the trust relationship and obligations. We urge you to keep these principles in mind as you continue to administer the CRF. Should you have any questions or require further information, please contact Ms. Liz Malerba, USET SPF Director of Policy and Legislative Affairs, at LMalerba@usetinc.org or 615-838-5906.

Sincerely,



Kirk Francis
President



Kitcki A. Carroll
Executive Director