

5. Mr. Kowalski said that 60% of the CARES Act funding for tribal governments has been distributed based on population data, but that population data do not capture the economic impact of COVID-19.

6. He said that the remaining 40% of CARES Act funding for tribal governments would be distributed base on based on economics, and that tribal employment and expenditures are likely indicators of economic impact.

7. He said that the Treasury Department has concluded that certified 2019 tribal expenditures are not helpful in determining tribes' added expenditures as a result of COVID-19, so Treasury will be seeking additional information from tribes regarding their COVID-19 related expenditures.

8. Mr. Kowalski said that Treasury is working now with OMB and trying to figure out how to best document tribal COVID-19 related expenses through the end of 2020.

9. He said that a portal would be opened in one week for tribes to submit more information that Treasury will use to determine economic impacts relevant to distribution of the remaining CARES Act funding for tribes.

10. He said that tribes will have "a couple of weeks" to provide information, and that Treasury would then need "a couple of weeks" to process that information prior to making any additional payments to tribes.

11. He then said that Treasury would not be able to disburse any of the remaining 40% of CARES Act funding to tribes until litigation involving Alaska Native Corporations' entitlement to CARES Act funding is resolved.

12. Later in the call, in response to a question from the Tohono O'odham Nation about when the remaining CARES Act funds will be disbursed, Mr. Kowalski said that Treasury has to

verify employment information and “may not have asked the right question.” He said that it may take another “two months” to disburse the remaining 40%. That would mean that Ak-Chin and other tribal governments would not get their CARES Act funds until July.

13. I have followed news about the disbursement of tribal CARES Act funding closely and participated in other calls with federal officials discussing this funding, including consultation calls on April 2 and 9, 2020, and the estimates of when it will be disbursed have gotten longer and longer.

14. During a conference call with tribal governments on April 2, 2020, Mr. Kowalski said that the funds would be distributed on or about Friday, April 24, 2020. He said that on pages 14-15 of a transcript that was available this morning on the Bureau of Indian Affairs (BIA)

Website at: https://www.bia.gov/sites/bia.gov/files/assets/as-ia/opa/pdf/040220-DOI-TRIBAL_1_Transcript_508.pdf

15. During the call with tribal governments on April 9, 2020, Mr. Kowalski said that the Treasury Department would probably not be able to do a full assessment of each tribe’s need in the time available to get the CARES Act money to tribes, but the CARES Act wanted the money to go to tribes as quickly as possible. For that reason, he said that Treasury would use a formula “to get a fair rough justice kind of allocation and distribute it, you know, in the next two weeks.” He said that on pages 109-110 of a transcript that was available this morning on the BIA

website at: https://www.bia.gov/sites/bia.gov/files/assets/as-ia/opa/pdf/040920-DOI-TRIBAL_TRANSCRIPT_2_508.pdf

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 8th day of May, 2020.

s/ Karen Fierro
Karen Fierro, Self-Governance Director
Ak-Chin Indian Community