



PUEBLO OF POJUAQUE

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April 15, 2020

The Honorable Steven Mnuchin
Secretary of the Treasury
U.S. Department of the Treasury
1500 Pennsylvania Avenue, N.W.
Washington, D.C. 20220

Via Email: tribal.consult@treasury.gov
consultation@bia.gov

The Honorable David L. Bernhardt
Secretary of the Interior
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

The Honorable Tara Sweeney
Assistant Secretary – Indian Affairs
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Re: Opposition to Distributions to Alaska Native Corporations

Dear Secretary Mnuchin, Secretary Bernhardt, and Assistant Secretary Sweeney:

I am writing in strong opposition to the inclusion of Alaska Native Corporations (“ANC”) as tribal governments for relief from the Coronavirus Relief Fund (“CRF”) under the CARES Act (“Act”). We believe that including the ANCs is contrary to both the intent of Congress and violates the statutory language of the Act. Under the Act “Indian Tribe” has the same meaning as in 25 U.S.C. 5304(e) which limits the term to only those entities that are “recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.” Under the plain language of the statute, only those entities included by the Department of the Interior in the on the annual list published in the Federal Register as entities eligible to receive the above benefits should receive a distribution under the Act.

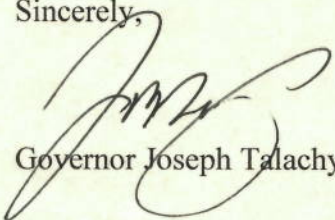
We fully support the inclusion of the Alaska Native village tribal governments all of which are included on the Interior Department’s list of federal recognized tribes

eligible to receive federal services. There can be no question regarding the inclusion of the Alaska Native village tribal governments as governments within the meaning of the Act.

Distribution of crucial relief funds for tribal governments would be shortchanged by having these funds distributed to entities that provide no governmental services or benefits to tribal members. Furthermore, this would allow for ***double or triple counting*** of Alaska Natives due to the fact that there are three layers for each Alaska Native village: federally recognized Alaska Native village Tribal government; Alaska Native Village Corporation; and Alaska Native Regional Corporation. As the Alaska Native Claims Settlement Act (ANCSA) makes clear: *Alaska Native Regional Corporations and Alaska Native Village Corporations are state chartered, stockholder-owned corporations, held by Alaska Natives. They are not Tribal governments, nor are they arms of tribal governments, and should not be permitted to unfairly benefit from funds appropriated for tribal governments. In contrast, Alaska Native tribal governments are Indian Tribes and Tribal governments recognized by the Secretary of the Interior, as such, under the Federally Recognized Tribe List Act of 1994.*

The Pueblo of Pojoaque strongly opposes the inclusion of ANC in any distribution formula from the CRF. We strongly urge you to reconsider this decision. Indian tribes, including Alaska Native tribal governments desperately need this assistance.

Sincerely,



Governor Joseph Talachy