

Brian Gunn ([00:00:00](#)):

COVID so-called 3.5 package, which I think I'd mentioned on the call last week. There were discussions last week to add more money to the SBA paycheck protection program, which had run out of money. It's being reported, I mean we don't know anything yet. But apparently Schumer thinks that there is a deal that was reached yesterday. It sounds like just as of this morning though, they're kind of still on the phone trying to iron out last minute details. But just from what's reported that the deal would include the 320 billion new money for SBA paycheck protection program with a certain amount of that that would be earmarked for what's been reported as unbanked rural and minority businesses, which I think what they mean by that are businesses that don't have kind of an established banking relationship with the bank, which it was, it was an issue when the program first rolled out because some banks were only accepting these applications from entities that they had a prior banking relationship with. Apparently there's 75 billion in new money to hospitals. You know, we just have to see the specifics as to how all this will be allocated. At least as of yesterday, sort of the tribal advocates we had heard from various sources that there was not going to be any sort of tribal specific fixes or language in this, in this version. But again, we have to wait and see what the final version looks like because negotiations were going on apparently through the evening and this morning still. And so one thing that I thought was interesting just in looking at the material that's available this morning is that, and I emailed this to some of some of the folks I represent, but the Washington Post is reporting that you know, the Democrats were trying to get some additional money into that \$150 billion relief fund, of which the 8 billion is the, the tribal set aside. They were apparently unsuccessful in getting new money, but reportedly minority leader Schumer got some sort of a commitment from the White House that state and local governments could use some portion of the 150 billion to offset some of the lost revenue in their budgets. You know, again, this is being reported that it was a commitment; nothing that's actually in the Bill, but we'll just have to see if they finalize something this afternoon and get something passed. What that ends up being, whether it could potentially apply to tribes also or just the state and locals. We just don't know enough yet. So that's really all I've got. The Senate is supposed to convene at 4:00 PM this afternoon Eastern time, so if there's a deal you know, we expect that there'll be approved by then and the text should be released we think very soon because they want to get a sense from the members as to whether anybody would object. So we should be seeing the text here very soon. So just we'll keep our eyes open for that. So that's all I've got, Terri.

Terri Parr ([00:03:30](#)):

Laura is next.

Laura Platero ([00:03:43](#)):

Hi. Good morning. I have my update. So I just wanted to share that in the IHS Portland Area, there are 77 positive cases and across Indian country there's 1,712 cases. And this is all data that's been reported to the Indian Health Service. Most of the data, I would say nationally, at least, is underrepresented because it only includes for a lot of areas the direct care facilities and urban facilities and some of the tribal facilities aren't recording their data to IHS. For our area, our epicenter is working with IHS; so it is a joint effort. The numbers that we have, 77 basically

is with half of the tribes in our area reporting. So we're really encouraging all of your tribes; if you haven't been reporting the data to us to please do so it really does as you know, potentially impact funding to our area to address COVID19. So that's the data that we have so far. I did also just want to share, and I know Terri you had asked me this before, to share when COVID has peaked in our States. For all three of the States it has peaked according to IHME. I actually have shared that link before and before I get off the call, I'll make sure to share that link again in case you didn't get it when I talked about it the last time. It basically is tracking COVID 19 in all of our States, when it peaks and also includes a date for potentially when governments can possibly consider reopening. For Oregon, our peak occurred 2 days ago and in Washington it was 15 days ago, in Idaho it was 6 days ago. And in terms of the containment strategies that are discussed on the website, it does talk about, and we know that this is going to be really important for any government considering reopening. Testing is going to be really critical as well as contact tracing and investigation. We at the board are going to be focusing our efforts on contact tracing and making sure tribes have those resources. We have had some requests for this already. It's part of the work that we do. I just want you to know that that will be available through us on our 10:00 AM call. We're just going to do a brief kind of introduction to it with the idea that that will be a big part of our effort moving forward. The third thing is isolating and quarantining of course people who are positive or who have been exposed and then continuing to limit gatherings. I just wanted to give you the dates according to this one source that talks about in terms of the cases continuing to decrease in following sort of what is stated on that website that I mentioned. The date for Idaho, if these containment strategies are in place, and that's really critical that it could potentially start considering reopening is May 11th. Washington is May 18th and Oregon is May 25th. So just wanted to share that and I'll share the website with you. It tracks a lot of detail on COVID. We do have a regular call that happens every Tuesday at 10:00 AM. And then we also have our ECHO sessions, which are sessions for providers who work in our IHS and tribal facilities. And today's set or tomorrow session at noon there. Mondays and Wednesdays at noon, tomorrow session at noon, we'll be having some focus on traditional healing as well. And so as we've been doing these sessions, we've been doing them for over a month now. The topics have been evolving and changing. We've had talked about the issues with domestic violence and substance use that are co-occurring with people being isolated at home. And then I don't know if Brian's still on the call and I don't know if he heard this, but I know the National Indian Health Board was pushing for 1.7 billion for our IHS and tribal facilities in term of loss third party revenue as a relief fund. As of yesterday, I know that NIHB didn't know if that had any traction and it didn't sound like it per what Brian said, but I just wanted to share that that's something to advocate for. I think those are my main updates unless anyone has any questions for me.

Ron Allen ([00:09:00](#)):

Did NIHB send a formal letter out with that request, that 1.7 billion?

Laura Platero ([00:09:09](#)):

It was in their fourth package, the letter that they wrote. I know Sherman said he was advocating for yesterday. I don't know. I haven't seen a specific letter on that one request.

Ron Allen ([00:09:24](#)):

Do you know the date of that letter?

Laura Platero ([00:09:28](#)):

Yeah, I can send it to you and its on our website too. I can put the link in the chat box or email you.

Ron Allen ([00:09:37](#)):

Okay and the letter was to Congress?

Laura Platero ([00:09:41](#)):

Yes, to House and Senate leadership and it was for all of the asks for the fourth package and it includes that 1.7 billion. Actually NCAI letter if you have that letter also, that includes that particular request. Actually NCAI asked for 1.7 billion and NIHB had written their letter a little before and they requested I believe 1.5 billion.

Ron Allen ([00:10:11](#)):

Yeah, it'd be good. Terri when you send out a support regarding the stimulus package for particularly the 4.0; the 3.5 as Brian pointed out is pretty well a done deal. All the things that we were trying to get in there, it's just not going to happen cause they're trying to get this thing out, and helping the SBA and the hospitals, et cetera. I don't think anything else that we wanted is in there. But Laura, I want to emphasize that our support from the Portland health board and from ATNI regarding tele-health. We got the new rates and the new rates is like, I can't remember, \$92 per visit. I'm talking about the Medicare telehealth, not the Medicaid. We deal with so many senior citizens it is rising. I think that the typical Medicare rate is \$160. So bottom line is to make our clinic successful, we need a minimum of that \$160 rate. I want to make sure that's in our list of priorities.

Laura Platero ([00:11:41](#)):

Thank you. Ron. I'll double check the language. I know that was an emphasis in the letter, but I'll double check the amounts that are in there, what the request is.

Terri Parr ([00:11:54](#)):

Laura, you're still asking tribes to provide their data regarding the corona virus, correct?

Laura Platero:

Correct. IHS basically is asking tribes to record it on a daily basis. We know that that's sometimes challenging for our health directors. If tribal health directors can do it as often as possible with a minimum at least once a week, that's really helpful.

Terri Parr:

Okay. And that's to IHS?

Laura Platero:

Correct. Well, it's a survey monkey format that we developed in partnership with the IHS Portland Area Office; so it's a joint effort. We were just trying not to duplicate effort between having the health directors do two different reporting. We actually joined to develop one survey instrument.

Ron Allen ([00:12:50](#)):

One more thing. I didn't jump on the last Northwest BIA IHS update. I know we have 17 Abbott machines out there in Northwest and I'm assuming that they're being geographically distributed. I know that we're going to get one. But I guess the question is, are we making requests to get that blood testing equipment that tells you whether you have the antibodies or not.

Laura Platero ([00:13:29](#)):

Those have been requests, from the calls that I've been on most recently and that's going to be really key. The issue right now is it's not readily available. There's some problems with it, but that is on our list of asks. That is going to be really key to governments reopening.

Ron Allen ([00:13:51](#)):

So you mean the antibody equipment is not available?

Laura Platero ([00:13:55](#)):

Right? That's correct. I was reading some issues just related to the antibody test itself, potentially testing for other Corona viruses and not specifically this one. And so we just have to make sure whatever instrument that is available actually is ensuring that they actually had this Corona virus and that they potentially have immunity. And that's, I guess still, we don't know that either because there have been people who have been re-infected with Corona virus and potentially carriers according to some of the studies. So anyway, there's still some concerns I think related to the antibody test, but yes, that is an important request. We agree completely and support them.

Brian Gunn ([00:14:52](#)):

I have a quick question for Laura. I had seen in the request for the fourth package there was a request for facilities construction money, I think for the 10 joint venture finalists to have those replacement facilities. I think it was in a draft that I saw. I know that the folks, at least on the House side, are looking at that pretty seriously and they're also looking at the area distribution fund as part of like trying to find some way to get money into that. But I was just wondering, have you heard anything about the actual list or any kind of forthcoming announcement on the

joint venture finalist from IHS? I've had offices ping them and they haven't really gotten much of a response. I was just, I was just curious if they had told the Board anything.

Laura Platero ([00:15:46](#)):

No, we haven't heard anything from IHS around the joint venture projects.

Brian Gunn ([00:15:52](#)):

Okay. Well I can talk with you offline about the facility stuff generally because I think that there is some interest on the House side on trying to provide money to the area distribution fund. And for folks on the call, this goes back about 10 years, but the Portland Board was kind of leading, trying to get a pot of money that all IHS regions or areas would be able to utilize to do facility rehab or new facility construction. And I think it was kind of prompted by the fact that the Portland Area had never had anything built off the you know, the grandfathered in facilities list. So anyway, Laura, I can circle back with the offline about that.

Terri Parr ([00:16:43](#)):

Any other questions for Laura? Well, as always, thank you Laura. We appreciate you joining us and we know your calls at 10, so thanks for being here.

And next up we have with us today Gary George. Gary's recently been named to the Governor's Corona Virus Economic Advisory Council and he's going to share a little bit about what's going on in Oregon. Gary.

Gary George ([00:17:16](#)):

Thank you, Terri. And good morning everybody. As Terri mentioned my name's Gary George. I'm the Chief Executive Officer here for the Wild Horse Resort and Casino that's owned and operated by the Confederated Tribes of the Umatilla Indian Reservation. And most recently, probably a couple of weeks ago, I got appointed to the Governors Corona Virus Economic Advisory Council. And it was a group that the Governor had chartered back in March 17th and it was composed of a variety of different state business department directors, state industry leaders, state labor unions and other state economic organizations. And, you know, tribes really never got involved in any of the state committees or councils that was being appointed as a result of this Corona virus. And the Governor on March 8th declared the state of Oregon in a state of emergency because of COVID19.

But she did have a series of meetings with tribal leaders every Friday. And I think it still continues to this day. But at that time probably around the end of March tribal leaders began looking at some of her committees that she appointed. And this Governor's Economic Advisory Council the tribal leaders noted here in Oregon that they didn't have any tribal reps. On April 2nd, I was appointed to this Governor's Corona Virus Economic Advisory Council. So it took about a good two and a half weeks to three weeks to get a tribal rep appointed to that. And I start with that because just like in Washington, Idaho, and elsewhere, Oregon tribes have a

significant impact on the economy of the state of Oregon. Now we provide over 11,000 jobs. We provide \$550 million in wages and benefits and other thing here in the state of Oregon. And on top of that, we've just like tribes in Washington, Idaho and so forth. You know, you invested a lot in infrastructure and the same here in Oregon where we invested over 812 million in casinos. And so tribal leaders here said we should have a rep here. We're one of the largest employers here in Oregon. And if you had all the tribal casinos and what we do together we would be probably the second largest employer here in the state of Oregon. So, anyway I got involved a little later and the Oregon tribes supported my appointment to the Governor's Corona Virus Economic Advisory Council. I missed four council meetings. A lot of things happen and they met twice a week, beginning March 17th through the first week of April. Then when I got on, we meet Friday now, but they did break up into different subcommittees. And my first introduction into the Governor's Economic Advisory Council was on foreclosures. I thought I'd just sit in on the foreclosure subgroup of that committee that talked about the tenants and landlords and so forth. And you know, the governor, both here in Washington and in Oregon made proclamations that you would freeze the rent of individual tenants for 90 days, you couldn't evict them and so forth. And this meeting on foreclosures was really focused on the big time developers and landlords who still have big outstanding debts to these large mortgage backed securities. And they still had to make payments and they weren't giving no relief. And so we sat for an hour talking about their issues and, and they still have to make monthly payments based on some of these large developments that they had within the state.

It was a very interesting one. And I thought that we were really fortunate here at Umatilla where in our loan agreements we had certain waivers, that didn't seem to be the case with these landlords who built these large condominium or apartment unit complexes where they had no leverage at all. I was pretty happy with our attorneys and what they represented. The next meeting was an official meeting of the council. And we looked at the CARES act and we as a council can make recommendations to the governor. And one of the things that I really pushed for not knowing if the state was going to get any funds or not, but I'm thinking that they are now. But we needed the governor to really help us with Treasury and Department of Interior and advocate for at least Oregon tribes and making sure that, you know, Oregon tribes got their fair share of whatever the appropriation would be. And so she had no problem working with our congressional and Senate representatives here and of course, writing to the powers to be, to make sure that tribes were involved in and any type of appropriation and to fight for their set aside. And I think certainly that's gone a long way. And the governor has agreed to help tribes as much as she can. And the next step will be the appropriations that comes under the first CARES Act down to the state. How much will be given to tribal governments will be our next issue. That will probably take a both from my role on the economic advisory council and probably when the tribal leaders meet with the governor. So that was the first meeting that I attended on the CARES Act recommendation. The second meeting which just happened this past Friday was devoted to reopening the state of Oregon. And we were the first group to see. So being on as council is kind of nice cause we're the first ones to get to see what the governor's thinking as far as reopening the state of Oregon. And they put together a comprehensive plan that they're going to share with other councils and with local leaders and with tribal governments. So being on a council, I was able to get a copy of

their PowerPoint presentation and forwarded off to at least our tribal leaders and mentioned it to a few other people that I work with on the Oregon Tribal Gaming Alliance and I'll probably make it available to all of the Oregon tribal leaders sometime today. But it was an opportunity to listen what the governor was thinking about reopening and how they plan on doing reopening the state of Oregon. And it seems like a very complicated process, a very time consuming process given the different phases. And I think everyone's kind of heard of the President's reopening the US in different phases; that people have to go through 14 days of seeing a decline in the coronavirus and the different other mandates of isolation, making sure you have enough test kits, where are you going to isolate those people if they do get sick? Do we have enough hospital beds to take care of individuals and so forth and going down that whole line. It was really kind of a nice to get to hear the presentation and ask you a few questions. Probably the important part that came out of that is that we broke up into five different groups to talk about how we might reopen the state of Oregon. And those five groups are the subgroup on restaurants, a subgroup on retail, a subgroup on personal care or salon hairstylists, a subgroup on transit. And I'm missing one other one, but I just can't think of it off the top of my head. So anyway, I volunteered to be on the restaurant subcommittee because here at Wild Horse and with all casinos we have generally probably anywhere between three to seven restaurants here on the Umatilla Indian reservation that we have. And so knowing what type of protocols that are going to be set in place, our guidelines to reopen is going to be extremely important from my perspective. But it's been a very interesting experience. There's probably close to 30 people on this economic advisory council. And our meetings are just an hour each. Every Friday morning from 9 to 10 we meet and we let the state go through their presentation, then we have a chance to answer any questions. But we continue to push forward here in the state of Oregon. And the tribal leaders have a great relationship with the Governor and we continue to work through a variety of different things. And we will look at how we can open our tribal casinos and our different tribal enterprises here. And probably one of the things that I forgot to mention that was probably true for maybe both Washington and Idaho is that a lot of the tribes here are restored tribes or a smaller tribes. And we've done well with our gaming facilities on tribal lands, but we also own properties off reservation. And so that's been an interesting experience for us because they're a part of the tribal ownership, those businesses off reservation. It makes it very difficult to find any kind of funding from the paycheck protection program to the employee retention credit to some other things that they're not eligible because they're part of a tribal government as a sovereign nation. Yet, on the other hand, they meet the criteria of that, but because they're a tribe and then because they're a part of a tribe, we can't qualify for the payroll protection program because we have over 500 employees. It's been an interesting debate and of course the governor's been supportive of the different issues that are brought forward by our tribal leaders. It's been interesting to fall it from a tribal leader's perspective, but from a staffer, so to speak as I get involved in these different programs. So that concludes my report. I don't know if I have much more to add unless you want to get into the details of a lot of different things.

Terri Parr ([00:30:00](#)):

Does anybody have any questions from Gary? Is there any projections on any kind of businesses reopening?

Gary George ([00:30:17](#)):

Yeah, I mean, I think there are some projections and within the next month, two months and probably more specifically in June that a lot of the smaller businesses, restaurants and golf courses and salons and so forth might open up in June sometime meeting certain social distancing requirements. Casinos maybe towards the latter part of June, mid-June, I think, everyone's looking at it, you know, it is a major economic driver for a lot of tribes down here in Oregon. There might be a push for even that to happen. And actually I got on this call late because we closed down March 18th here at Wild Horse and just the impact from two weeks of closure meant a loss of \$2 million to a tribal government. So that's a big hit and that isn't even a full month. As we move into April and May, it's really going to be interesting what impacts these closures are going to have. The one thing that the Governor's appointees had made during our presentation is that they are going to really try to push and prohibit large sporting events here in the state of Oregon for 2020. And so that's going to have a big impact here at Pendleton. We have our big Pendleton Whiskey Fest, which is a big concert celebration. We usually bring about 20,000 people here into Pendleton in July. And it has some implications to the Pendleton Roundup, which brings 60,000 people here to Pendleton. And if there's a prohibition on large events; she was talking more about the Trailblazers and big soccer events in Portland and some of those big football games at some of the universities, that could have a real devastating impact to the state of Oregon. The State of Oregon's already reeling because, you know, they generate a lot of their revenue from the lottery; 6 lottery machines from each restaurant and there's 2,500 restaurants here that have 6 or more machines. The Oregon lottery is really taking a big hit here. And then of course, unemployment has reached the highest level that it's ever had in its history this year. The state generates a lot of revenue from its income tax from people who are employed and a lot of people are on unemployment right now. So they lost two major sources of income. And so the governor has imposed a 20% cut for all state agencies here in the state. And then of course you get rid of some of these large events and gatherings, large conferences sporting events. That's going to have a big impact as we kind of move through this and they're thinking at 2021 might be when large events might start happening again here in Oregon.

Terri Parr ([00:33:57](#)):

Any other questions for Gary?

Sharon Goudy

I do have a comment. That's really great about the role that Gary has been able to get involved in with the state. What about our Washington, Idaho, other tribal States for ATNI; has such an opportunity existed for our States to have representatives. That's a very important role to be involved in those economic boards and state level activities. Do we have anybody in our other States that do the same or counterpart?

Leonard Forsman:

I don't know if our governor has a task force, statewide task force or not, but Governor Inslee engages with tribes on calls every two weeks or so. But I'm not sure they have a similar task force or not. It'd be worth checking into though.

Sharon Goudy ([00:35:51](#)):

I see Amber is on the call and that might be a good thing for us to look into instead of waiting for something to drop on us; maybe ask. To see if there is something we can be involved in; economic developments is just critical to all of us. Thank you.

Don Slyter ([00:36:43](#)):

We paid our employees from the casino for three weeks and we furloughed them and we're covering their insurance through this month, and we're coming up for next month. Is there some way you can figure out a way to get the governor to maybe try to help the tribes to make some of those payments, you know, because if they don't, if they lay those people off, they're going to go on the Oregon Health Plan and it's going to cost the state more money. Have you had any conversations like that at all?

Gary George ([00:37:27](#)):

We haven't, not from the council level, but I know that the Oregon tribal leaders will have a call with the governor Friday, and certainly I would implore tribal leaders to start making a push that some of the appropriation that's being made in the CARES Act to Oregon be distributed to tribal governments to take care of some of those issues that you just mentioned. That's going to be extremely important. Here at Wild Horse we had to furlough 870 employees, which means that we laid them off with the intent that we going to call them back, but we're still paying their health benefits. We expect we can't do that forever. And if this continues for a long time into May, then that's really going to have an impact to not only Wild Horse but to the tribe itself.

Don Slyter ([00:38:29](#)):

That's my question, furlough, you're paying that insurance with a thought of everybody's going to be coming back. But you know, you run out of the funding and you can't pay that insurance, then you lay them off. Then when the casinos do open back up, there's going to be a large waiting period there to get the casinos up and running because of all the background checks that are going to have to be done. Is that correct?

Gary George ([00:39:01](#)):

Well, most of them should have already gone through a background check with your gaming commission. So hopefully most of them are relicensed for those people that you're going to bring back; that shouldn't be an issue. So the new employees that would have a problem. But your concern about when we reopen up, you know, we might be in a recession by the time that all tribal casinos open up and that could take us awhile to get back to any kind of normalcy I

guess, so to speak. Cause you know, when we open up it's going to be a different environment and there's going to be a different normal for all of our operations and trying to figure out what we need to do is going to be important. So you and your management teams are going to have to really take a look at that.

Terri Parr ([00:41:21](#)):

Ron, do you want to go next and talk about a stimulus package 3.5 or even 4?

Ron Allen ([00:41:34](#)):

We had a Treasury TTAC meeting yesterday and then there was a NAFOA meeting that many were on; including Brian and a lot of folks who jump on those NAFOA meetings that are about eight o'clock in the morning our time. So on COVID 3.5; I think Brian did summarize it. So far the latest I'd got was that the total is going to include 310 billion for the PPE programs and the SBA and then 60 billion are going to be for small and CDFI lenders; 60 billion is going to be for economic injury disaster loans. I quite frankly don't know exactly what they're going to be used for it and who manages them. Brian might know that. I know that a 100 billion is for healthcare, including 75 for the hospitals, 25 for testing. The word I get is a lot of the things that we were hoping for another 150 billion out there for the States and tribes. I know there has been a request for another 8 billion for the tribes. Set aside the whole conversation about the eligibility of ANCs is in that mix. A lot of us are hoping that we can get some fixes in the 4.0, but the word I'm hearing is that they're thinking mid to late May before that can pop out of Congress, before they break for the Memorial weekend break. Brian probably have his finger on that pulse better than me. So anyhow that was a conversation that we had. A draft letter is supposed to be coming this morning for us to sign off on the issue of the ANC. One, the issue of the ANCs and the eligibility criteria. Number two, the integrity of the data that we send into Treasury that had been sent over to the BIA and then subsequently has been made public. That is a great concern of ours. And then we're making a recommendation with regard to the formula. What's the criteria that we're going to recommend. The seven of us haven't made a decision. Sharon from Siletz is on that committee with me and we're supposed to review that today sometime to get that letter ASAP over to Treasury. As everyone knows, they were intending on making the decision this Thursday, the 24th. They wanted that decision to be made and the money to go out by Friday or Monday. There's a lot of conversation going on there. So on 3.5 and 4.0 it's moving; there will be 3.5 money and only certain tribes will actually be able to access it, particularly with regard to PPE money with SBA. So many of our businesses may be applying for loans and can't get it cause they're out of money and this will recharge that fund. That's all I have right now. And I think that everybody's eyes are on the ANC issue and then what the formula will be that Treasury will use. One of the other things is that the conversation of recusal or removal of Tara Sweeney from BIA; what we are doing with TTAC is basically saying that the advice of Interior basically is over. They did the consultation processes of those two teleconferences and so their advice is over. Treasury now needs to make the decision and take it out of the hands of interior altogether. The pressure now is on Dan Kowalski and his team over there at Treasury regarding the eligibility and the distribution questions. So we're pushing that envelope as advisors and just to remind everybody we're an

advisor, nothing more than that. We are not a replacement of government to government consultation with regard to treasury.

Leonard Forsman ([00:46:19](#)):

I was watching some news and they were saying that the States are asking for their funding to be related to losses rather than expenses in this next round. I know that that's going to be a challenge for some of us and the tribes, because I don't know the difference to tell you the truth, but are you, did you guys talk about that at all?

Ron Allen ([00:46:51](#)):

You're talking about the 10 million that's going out to the Washington state tribes?

Leonard Forsman ([00:46:57](#)):

No, I'm talking about the 8 billion in general and other state relief on the COVID3. Remember how they made that language, like it's got to be related to expenses directly related to COVID and it's like, well, we shut our casino down that's related to COVID. Then we're going to have to go through this IG process, if the money ever gets out to us, which I assume it will someday. I heard that on the news this morning that the States are asking on this next relief fund basically be given more freedom and broadened the eligibility for how they can spend the money. I don't know if that came up with you guys.

Ron Allen ([00:47:40](#)):

No, that didn't come up in our TTAC call yesterday. Our position from NCAI, NOFOA, and Inter-tribes has been that it has to be broad relative to the unbudgeted unexpected expenditures. And that is the discretion of the tribe. The way we understand the language, I see Kevin on the line now, is that it's the discretion of the States so the same discretion should be for the tribes and the Inspector General is charged with regard to the compliance of the use of the money. I just think that we need to be very clear that we have our own accounts in terms of how we charge these use of these monies. So that they're charged against our definition of what the unbudgeted unexpected expenditures are due to COVID19. I would also say, Leonard, if they try to put some additional qualifying or narrowing of the definition of the use of the money, we should be very concerned about that; taking away our discretion because, as you well know, it varies from tribe to tribe.

Terri Parr ([00:49:23](#)):

Any other questions for Ron? If we can squeeze in ATNI EDC for a couple minutes Amber has an announcement, some information she'd like to share.

Amber Schultz-Oliver ([00:49:43](#)):

We at ATNI/EDC have been trying to figure out how we can be most impactful and responding to the COVID19 response. I'm just going to share my screen really quick here. We just launched a forgivable loan for small businesses in Oregon. There's the Oregon Stabilization Business Fund

that's been created by several foundations in Oregon and the state of Oregon. And they've been giving some funds out to CDFIS and economic development districts. And what we did with ours is we created this forgivable loan. It's right now only open to businesses that are based in Oregon. But we're hoping that we get a pretty good response and learn about the needs of businesses and that we can turn it into a proof of concept so that we can seek funds to roll out similar programs in the grander ATNI region. So this just launched officially this morning. I will put the URL in the chat box. Please feel free to share with your networks and with any small businesses that you know, that may be able to use it better based here in Oregon. So that's really all I have for right now. And I know we have a lot more on the agenda, so if you have any questions, happy to answer.

Terri Parr ([00:51:55](#)):

Any questions for Amber?

Next is our state updates. Shelly Fyant, Chairwoman from Salish and Kootenai Tribe will give an update.

Shelly Fyant([00:52:26](#)):

Good morning everyone. I'm just going to share some information specific to Montana. Montana's Governor Bullock issued a shelter in place, which is a stay at home and school closure order up until April 24th, which is this Friday. We're expecting an update this week. In the past update, every two weeks, he said he would allow schools to open, leaving it up to the local districts. Apparently he's getting some pressure on the East side of the state because they don't have any COVID cases. We also have a right wing contingent who protested in the state Capitol on Sunday. So as far as I know, three schools announced closing through the remainder of the year and one of them was Browning on the Blackfeet reservation. We do have our Director of the Office of Indian Affairs, Jason Smith, serves on Governor Bullock's task force and they sent out a survey through their website for input on how Montana should spend their money that we got. At 1130 today, Governor Bullock is holding a call with all the tribes at which time I'm going to express CSKT's concern about tourism. You may or may not know that Glacier and Yellowstone national parks have closed. We get on this reservation 4 million tourists that are traveling from Yellowstone to Glacier. 4 million people travel through our reservation and we just can't risk that this year. At first we supported the National Bison Range request at the DC Fish and Wildlife Service level, and then we requested it. The support wasn't enough. So finally we requested it and then when the governor chimed in, finally the DC officials said, 'yes, we will close the bison range'. As far as I know, it's the first and maybe the only refuge that has been closed. We just saw a lot of out of state visitation, 2000 in one weekend and they were starting to vandalize the bathrooms, stealing toilet paper and there was a burglary and all that. Because of a checkerboard land status that we have here on the Flathead we can't close our reservation borders or highway 93 throughout the reservation. We have to keep them open because it's a federal highway. The tribe issued a shelter in place order until we vote. We knew that this was going to be a long term situation, so rather than go two weeks at a time, we just did until revoked. Our tribe has taken a very bold approach and all of us, sometimes ahead of the County and even the state in some regards as far as our declaration

of emergency and essential services, only a shelter in place. We reached out to Lake County. And for those of you that don't know, Lake County has been our biggest opponent in our water compact. And so that's been really kind of touchy. But I reached out to the County and they were willing to form a unified command. So that's what we have right now. Last week we were granted a motion for summary judgment in a big arm case against Lake County and a resident that wanted to build an RV park and rather than go through the tribe and ask permission to use our road, they went to Lake County who did not have the authority to do that. We took them to court and last week we received a summary judgment in our favor over that. We're hoping that Lake County doesn't be a poor sport over that. It's a whole different subject. But I reached out to the Commission Chair yesterday to request that we do another joint message regarding public health. We did one early on declaring our delegation of authority to our unified command team. And so we're trying to maintain good relationships with the County despite the racism. Our legal department is working closely with the Montana delegation on the phase for infrastructure funding to John Tester's Facebook live this morning and we have been responding to the US Treasury and anyone that cares regarding the CARES Act funding. So we have been meeting weekly with our corporations and requiring updates of our essential services plans with our departments and programs within the tribe. And our biggest concern is reopening Montana too soon. We don't think that we've reached our peak yet. We have 433 confirmed cases, 12 deaths. Monday was the first time that we added zero cases from one day to the next since mid-March. Lake County, which is the majority of the reservation has five cases; four are actually in the County; one was a lady that's lives part time here and part time, I think in Vermont. So administratively we have five cases. Missoula County to the South of us, part of the reservation is in Missoula County. They have 38 cases. Flathead County, which is part of our reservation, has 37 cases. And then Sanders County, which is on the West side has zero cases. So far we have 11,000 tests at the state lab in Helena; that's statewide that many people have been tested. And then the tribe is working with Montana State University through the Center for American Indian Rural Health Equity Program to get a 1000 antibody test for frontline workers, which would include grocery stores, gas station workers; all those people that are still out there working, medical professionals. We're having to frame it as a research project. We're going through Salish Kootenai college IRB to do that. And we're waiting on funding from our State Department of Health and Human Services for that. So far, Montana has 23,665 unemployment claims. People are not working. And I talked to someone from our headstart staff that got laid off last week and she said she tried for two full days to get on the Department of Labor website and was unsuccessful just because it's so jammed up. But that's all I have unless anyone has any questions.

Terri Parr ([01:00:27](#)):

Any questions for Chairwoman Fyant?

Leonard Forsman:

Yes. I assume you closed your gaming operations and I didn't hear when did you close them?

Shelly Fyant

I believe it was like March 14th; It was right when we declared our declaration of emergency. We do have weekly updates with them, so every Tuesday afternoon we meet with all of our corporations and just talk about what the plan is moving forward. Some of you may know we have S and K Technologies, which does a lot of contracting, especially with military contracts. So they have offices in Saudi Arabia, Georgia, all over the world actually; so they can't close down. Same with the S and K Electronics. They have some department of defense contracts so they can't close down. Electronics is having some problems with suppliers, but it looks like we're okay through May. Some of their May supplies won't be there until June, but they've let their vendors know. So I think we're okay there.

Terri Parr:

Is Governor Bullock conducting any kind of communication with the tribes during the pandemic?

Shelly Fyant

Yes, through his Director of Office of Indian Affairs, Jason Smith. Jason serves on his task force, which they sent out a survey on their website. The input was due today and then we also have a call in about 20 minutes with all the tribes which will be the first call that we've had with them.

Terri Parr ([01:02:35](#)):

Any other questions? Thank you for joining us. Chantele are you with us? Do you want to give a brief update on what's going on in Idaho?

Chantele Greene ([01:03:02](#)):

Currently the State of Idaho Governor Little did an extension on a stay at home order extends out to April 30th. So as of right now, our cases are at 1,736. And now our numbers are kind of fluctuating versus the confirmed; they've just added in the probable. So that's fluctuating our numbers quite a bit. One day we'll see 4, and then the next day our number is at 64 with 48 deaths. And most of our cases now are coming in are healthcare workers. So of 29 people who have COVID right now, are healthcare workers. 157 people with COVID had been hospitalized and 58 are in ICU. And then for the stay at home order that was extended out to April 30th. Governor Little did do a couple of extra considerations for companies that were closed. Businesses are able to enact a curbside delivery between now and April 30th. And he extended that to some non-essential businesses that can actually operate that and maintains social distancing for the curbside; drive ins, drive throughs, pick up mail services and delivery services. Some garden shops and local businesses. For us, we've maintained all of our orders as well. Looking to maintain everything out until May 1st; on behalf of the Nez Perce Tribe we don't have any confirmed cases. I don't believe with the other tribes as well. And then as for the financial pieces I like to maybe give Ron Allen a call maybe to pick his brain a little bit; on the

state financial relief. Our relief has been the state of Idaho is 1.25 billion and the language that's in there is that it's at their discretion and they are asking for us to not include our enterprises. So counties, cities and tribes are actually also submitting for their payroll being that everybody's very uncertain and that's incredibly critical to the entire economy. So if we're not able to include our payroll either and just for services and purchases for COVID, that's basically what they're asking for right now. There are quite a bit of complications. They're also asking for the tribes, which is a little bit different than the cities and the counties. For the financial piece is to actually add in what other federal funds that we will get from the eight the federal government and to try to deduct that. So take advantage of the federal funds that we're getting first before the considerations to the state sending relief to the tribes. So it definitely, if we have any comments or knowledge pieces on that, but definitely like the here, here other thoughts from other folks on online. Our next call with Governor Little is tomorrow, Wednesday, I believe for four o'clock. This will be our third conference call with them.

Terri Parr [01:08:12](#)):

Leonard do you want to do a Washington update?

Leonard Forsman ([01:08:25](#)):

Well, we've been working with the state on a share the money; they put forward two, \$5 million payments that are coming out and they've been in consultation with us on how to distribute that in the formula. We've been working with them on that and that's been a pretty good effort. And then we've been talking preliminarily with them on their state funding that they got out of COVID3; how much of that will be provided to the tribes since we're major employers in the state. So that's been pretty positive interaction with Governor Inslee. We've been able to get some work done as well on you know, what a reopening of the economy might look like. We're waiting; ours ends on May 4th, I think we'll probably hear something before that. I think it's probably going to be extended, my guess is, but I don't know about how many weeks and then he's been looking at the White House's proposal. It's coming out in different phases and he still feels we're in phase one. However our efforts of course have done, been pretty successful in Northwest flattening the curve. So how that translates into reopening our economies is something that we're all battling with, of course, and had probably varying opinions with even our own tribes. So those are the major things that we've been doing. Of course we've been working pretty actively with our local governments to, with the state and counties and getting the supplies and things that we need. The success has been varied from tribe to tribe and County to County. But we've been able to get some support locally as well. So like, I like to hear people working with their local governments as we heard in Montana. So that's primarily all I have. Anybody else has anything to add from Washington feel free.

Kevin Allis ([01:11:02](#)):

Kevin Allis is with us from NCAI. Kevin, good morning.

Kevin Allis ([01:11:14](#)):

Good morning everybody. Good to see you. Chairwoman Fyant, good to see you. I've been an attorney and a government relations professional for S and K Technologies prior to NCAI for almost 14 years. So good people there with Chad and Dermot and Tom; and so good to hear from your community.

A couple of things. You know, we're involved in the litigation that the six tribes have filed in DC district court. I was a little late getting on this call because we're working on the Amicus brief. We were working on it until two in the morning last night, took about a three hour break and have been working on it. We'll probably work on it most of the day and hope to have it finished by some time, dinner time or after dinner Eastern time later today. We're working through smoothing it out and just getting it right. The attorneys in the complaint, Riaz and his team, want us to focus on economic impact in a portion of our brief. And so we're working with the Harvard Project, Dr. Colt and some of those folks on getting some numbers together. NIGA is always a good source for some economic data and we're working on that as we speak. A scheduling order did come out for that, I do not know if anybody saw it. The Federal Treasury has to respond with an answer by five o'clock tomorrow and then the plaintiffs can file a reply response by noon on the 23rd. And then there's a video conference hearing at 2:00 PM the afternoon of the 23rd. So that's when we'll see everything happen. I've done a little research on the judge; we've got a pretty good judge. We feel like we're in a good spot and we'll see how that plays out.

Regarding some other things that we're doing. NCAI had a board meeting just the other night; we're finalizing a letter today to send to the Inspector General, both at Interior and Treasury demanding an immediate investigation into the alleged leak of the tribal information data. And also an email, some of you may have been a part of or seen, about some kind of a whistleblower coming out of Alaska that works for one of the Alaska regional corporations and, making sure that they look into that as soon as possible. We've made that public, Politico asked me about it yesterday, and confirmed that we are doing that. I'm sure that other organizations will. And we're going to continue to put heat on that to make sure that the IG, at least Interior responds to it. Our initial Intel on the Inspector General at Interior is pretty decent and kind of stays out of the fray of politics from what we understand and should be somebody that we could trust to look into this.

On other matters. NCAI has moved forward with sending to the Hill, our requests for COVID4 that's going to be after the bill that they're talking about now. The bill that may go through today or tomorrow, it depends on a few political stances. It's really just going to kind of be designed to refund the PPE program with no amendments. We're not hearing that any of the issues that we complained loudly about with respect to eligibility are going to be addressed. Republicans have no appetite to address any of the amendments, whether they be tribal specific or otherwise in this. They just want to fund the money real quick and push it out. On the bank side of it, you're probably hearing the same thing that we are, that even the money

that they do put in there, that's already maybe spoken for already because there was a backlog of requests and so that money will probably disappear in a couple of days and we'll see if there's any more funding after that.

I want to respond to what Chairman Allen was talking about earlier with respect to States; speaking more about getting lost revenue language in the next bill. That is true. We were working with the National Governors Association and had some really good dialogue with them last week before this whole ANC thing popped up and they've kind of backed off because they don't want to be anywhere near that. I do know that was something that NCAI was talking to them about and how we could kind of align and figure out how to work together on that. I think we still can, it's just this controversy with tribal government, not that's been cast upon us by the Alaska native corporations has kind of scared them off right now, they're not really too talkative about with us. We are going to continue to push that because that is important consideration.

We did send a letter to the White House about the cost sharing aspect of the FEMA emergency relief funding. I also was contacted by Senator Heinrich yesterday; he's introducing a bill and looking for NCAI statement and support that would legislatively waive the 25% CARE share after reviewing the bill. We have no problem weighing in because it's something that's important to us. He's looking for a Republican co-sponsor and we referred him to a couple of offices that have been favorable towards Indian country during this particular pandemic. I think that that's going to work there. There's something in the works on that; we'll just see how that plays out as well. Just a lot going on with this litigation. It's kind of consumed a couple of us over at NCAI. And my number two person, Jamie, is really been managing the rest of the shop at NCAI, we're in really good shape, everybody's working. We're still working on our programs. About two thirds of those people though have switched over to helping with COVID19 stuff with our tribal members. We do have funding coming in that we'll be issuing out in grants. We'll probably make an announcement about that in the next 48 hours. We just opened up a window just for people to participate or make donations just little over a week ago. And from individual donations, we have over \$10,000 that was raised there. We have another \$50,000 from a pot of money for emergency relief that we had before that we're going to combine with that. And then we got a commitment from the Annie Casey foundation for \$50,000 and Johns Hopkins University for another \$50,000. We already have the infrastructure in place at NCAI to be able to put out the news, except the applications, review them really quick and turn out the money, turn around real quick. That's exciting that we'll probably have close to 150 K right now to get out the tribes for smaller projects that you need to take care of. We want to stretch the money a little bit, so we'll probably keep the grants between 5k and \$20, somewhere around there. Depending on what the project is that the tribes submits. We're involved with the Kellogg Racial Anchors Program. All of us on that of the nine organizations have been really working with the Kellogg Foundation over the last 40 days about phase two of that. And that was a civic engagement program, but what Kellogg needed to fund to make sure all the work that we've done in the last two years stays in place. And that means finding funding, whether it be from Kellogg or their partners to give to each of the anchors to push out to their communities. So

we'll find out also in the next 10 days or so, a larger additional pot of money that will come to NCAI that we can push out the tribes to, to help them bridge their needs with respect to dealing with COVID19, at the same time trying to keep their civic engagement programs up and running while this is going on. You'll see some stuff very soon about what we're doing when that's available and announcements on that. So chairman and Terri, that's all I have unless there's some questions.

Leonard Forsman ([01:21:57](#)):

Okay. Kevin, thanks for the update. One question. It was one that Ron reported on and I didn't get a chance to ask him about it. I just thought that it was interesting that TTAC asks that Interior not be part of the formula development and have Treasury only do that. Are you familiar with that request?

Kevin Allis ([01:22:23](#)):

Yes, it was my understanding and also talking with Dante that the message that TTAC was going to deliver 'look, you've consulted with Interior enough, it's your decision here, it's your call, it's totally the Secretary's decision on which way to go here, you've gotten enough bad advice, whatever you want to call it now, just you know, make the decision on your own and let's move'. So that's what I understand chairman that message to then,

Terri Parr ([01:23:14](#)):

Kevin, can you give me a rundown again, you already did, on what's happening this week with regards to the lawsuit?

Kevin Allis ([01:23:23](#)):

Yeah. So tomorrow 5:00 PM Treasury has to respond to the complaint and the temporary restraining order and preliminary injunction, they have to submit that by 5:00 PM. They have not submitted anything yet. There is an attorney over at DOJ that's been assigned to it; Lynch's his last name. There was some talk that the fact that they've been kind of quiet on it, that maybe Treasury was going to make a decision that would make this moot, which would be nice. Because they really do need to make a decision and make public with this methodology is going to be, because, you know, the schedule that was given to us by Interior last Monday, was that by midnight tonight Treasury wants to push send, that would be the final push to get the money out by the time it was supposed to. They wanted to issue that methodology by the middle of last week, Thursday at the latest. We heard that, it stopped because they were hearing us; they were hearing the outcry and delivering on it. Exactly how they were looking at it we don't know. But we do know that they did delay making it public. But so they've got to do something quick. So this litigation by 5:00 PM tomorrow Treasury has to file a response. And then on the 23rd, which is Thursday by noon, Riaz and his team, the plaintiffs can submit a reply to that. Then there's a hearing, two o'clock in the afternoon. Now there has been a request by ANBCA, which is the association up in Alaska that represents the village corporations, to be allowed to submit a pleading. I haven't seen anything that's approving that, but my sense of that it will be. So we don't really control any of this, but I'm interested to see what the heck

they have to say. The complaint and the TRO and preliminary injunction filing; that was an amazing document. I really have to say they did a really good job laying this out in detail and I just don't know how anybody makes an argument on the other side. Because I don't know where the law would be. So I'm interested to see what that Alaska association has to say about this. Be that as it may, there's a hearing by video conference 2:00 PM on Thursday. Hopefully they have got to come to a quick decision.

Terri Parr ([01:26:54](#))

Okay, thanks. Does anyone have any questions for Kevin?

Henry Cagey ([01:27:10](#)):

Hey, Kevin, is this going to hurt us in the long run? This whole lawsuit? Is Congress going to be more cautious in dealing with us as we go forward with phase 4, phase 5?

Kevin Allis ([01:27:23](#)):

Henry we will say, I, I tend to look at it the other way. There is a lot of people on both sides of the aisle that are really upset about this. You know, they're really upset about the twisted logic that would cause anybody to believe that these corporations were supposed to get some of this money. And, and we've had conversations with Schumer's office and, and a lot of our folks about moving forward, making sure in future legislation, even in these future COVID19 bills, that it is crystal clear who they're talking about getting this money. And that's creating a definition or some language that protects us. We talked about this at the NCAI board meeting the other night that we really need them. Indian country really needs to make sure and moving it through our Congress to, to get some more visibility, we've got to change this definition. We need to correct it. We need to clarify it. There needs to be something done because I think we all know, and you guys are closer than some of us to Alaska. There has been a move through the whole debacle with the 8A program back in late 2000 and early 2010, 11 and 12, all of that. Some of the conversation, there's been a push by these corporations to get closer and closer and closer to tribal government status. Henry, this may be just the straw that broke the camel's back. Maybe we needed to get here to do that and get this corrected. Maybe this court decision solidly puts on the record a judicial notice and a judicial decision on what a governing body of an Indian tribe is and what the corporations aren't. You know I think it will play out. But I think we do have an opportunity here cause we, we have some open ears that are paying attention that we can't allow this to happen again.

Mel Sheldon ([01:29:45](#)):

Kevin, thank you for working all the hours, your team everybody that's making this happen. ANC, the golden rule, he who makes gold makes the rules. And as we learned the ANCs have a very much an uneven relationship with their membership thereby creating the situation. On the video conference with the judge; will that be open to the public as well will the judge have 24 hours to render a decision or do you know anything about where that may go?

Kevin Allis ([01:30:30](#)):

Mel, I don't. This is new, I mean I've litigated these motions before as an attorney and its an oral argument, you're standing right in front of the judge, and there's red lights, blue lights and green lights, you know, and how long you have to talk. This is all new to me, so I don't know who it's open to or not. My sense is that it'd probably be limited to the parties in the action; the six tribes, whoever their representatives is going to be.

Terri Parr ([01:31:07](#)):

Okay. Thank you.

Just to let everybody who's left on the call know that ATNI put out a survey asking if the tribes would like to have ATNI sign on to the Amicus brief or not and those responding all said yes. ATNI Executive Board has let NCAI know that to be part of, we want to be signed on to the Amicus brief. So just to let everybody know

Kevin Allis ([01:31:58](#)):

We thank everybody for that. I know Derek, myself, Kane Smith his team, Dr Joe Colt with the Harvard project; we're grinding this out to make this a really good attachment to an outstanding complaint that the attorneys have put together. This is important work. We're kind of at a crossroads here a little bit on some of these issues and we got to get this right.

Terri Parr ([01:32:43](#)):

Okay. Anything else? Or any other questions?

Leonard Forsman ([01:33:07](#)):

No, just thank everybody for hanging in there, working so hard for your individual tribes. And then also for the Northwest as a whole. We're going to have to be as creative and as adaptive and as resilient as ever. I think that looking at what the future holds is hard to predict. But we will have to adjust our economies to what I think will be something different. I think that all the work that we've done, that our predecessors have done has paid off in some ways in our relationship with Congress. I think that ATNI has been a big part of that and the fact that we've stayed engaged in our commitment to our sovereignty and that's what really paid dividends when this crisis hit. So all those meetings, we felt like we weren't accomplishing anything sometimes and all of the campaign donations and all the work that we've done to support candidates and demonstrate their support for the government to government relationship. I think it has paid off and it's also paid off in our participation in National Congress of American Indians as well. So just congratulations everybody on that. But we still have a lot of more work to go. I understand we're not out of this yet, but I know that we'll come through this in the best way possible. So thank you everybody for being on the call and sorry for being late.

Terri Parr ([01:35:53](#)):

One more comment I have is that ATNI Executive Board decided to make a contribution to the legal fund for the Amicus brief and they would like to also encourage any individual tribes who would like to contribute to do so as well. Contributions can be made to NCAI.

Kevin Allis ([01:36:50](#)):

Yeah, that would be great. If we get over subscribed, if it is more than our legal fees I will let you know and we can figure out what to do at that point. I'll just be upfront with you; they're charging us \$7,500 top; that's reasonable. We thought it'd be like \$20,000 to \$25,000 and so any little bit helps because we are nonprofit. If we get extra money we would write everybody and say, would you mind if we move this over to that relief fund that we were just then kick out and add to the grant money we give to tribes.

Mel Sheldon ([01:37:31](#)):

I do have one last question before we break, ANC, is there any possibility of them counter suing or some type of a legal strategy? I mean obviously we've got this going, but I'm just waiting for the other shoe to drop basically.

Kevin Allis([01:38:05](#)):

With respect to this money, if they want to do the same thing that we're doing now, that needs to go today, because they're running out of time. If there's a decision on this and the 8 billion goes out, you can't get it back. Of course, with Indian country, they're not going to have any argument with us. It's going to be either Treasury and it doesn't turn out, they'll have to sue Tara Sweeney and Interior because we're the innocent bystander that's either getting hurt or properly recognized.

Mel Sheldon ([01:38:50](#)):

I had heard that the ANCs met last week and I don't know what came out of the meeting, but I expected somehow the other shoe to drop. But like you say, time is not our friend; nobody's friend in this. Okay. Thank you.

Leonard Forsman ([01:39:12](#)):

With that, I think we can adjourn. Thank you everybody.