

Leonard Forsman: [\(00:00:00\)](#):

Since we last met and there is a lot of work to get done this week, so I don't want to take too much time with opening comments, but just the hope and pray, everybody's doing okay and that we're following our health professionals advice and suggestions and staying home and staying healthy and limiting our interaction, which of course is very difficult to do for our people. But appreciate everybody's commitment to that. And hopefully we'll see a little break here sometime in the next month or so. We'll see. That's all still up to the science and to our, our power. So with that, I was going to ask Jeanie if you would please start us out in a good way.

Jeanie Louie:

Opening Prayer. Thank you for this day. Thank you for bringing each and every one of us together. We ask for guidance, we ask for strength at this time. We ask that we can make decisions that will be helpful to all of our tribal members, to our people, to our communities. So with that, we ask for blessings upon each and every one.

So should we do roll call. (YES)

Leonard Forsman

Mel Sheldon

Jeanie Louie

Sharon Goudy

Taylor Aalvik

Terri Parr: [\(00:04:14\)](#):

Sure. We have Brian Gunn with us this morning for a legislative update. Laura Platero is also with us and she'll be giving an update from the health board. Aurora Lair from FEMA is with us this morning. And then we will have state updates; Chantel Green from the Nez Perce Tribe executive committee; she'll be providing an Idaho update. I was looking to Jon to provide an Oregon update. We'll see if he gets on. Then wanted to ask Leonard if you want to give one on behalf of Washington.

Leonard Forsman [\(00:04:58\)](#):

Yeah, just let me know and I can give a Washington update, I can get some help from our other tribal leaders from Washington.

Terri Parr: [\(00:05:07\)](#):

Then Kevin Allis will be on with us later this morning. He'll just give us an update what's going on and what has taken place over the weekend. But before we get started, I just wanted to thank the ATNI staff for working over the weekend. I know a lot of the tribal leaders are working over the weekend as well, but when Leonard and I were notified about the Treasury portal, Leonard wanted the tribes to get as much of a heads up and head start on preparing information as possible. So we went to work and James got announcements out Saturday, Sunday and Monday morning to give tribal leaders a heads up. And Elaine was verifying addresses and updating our list serve for tribal leaders. I just wanted to say thank you to them for working over the weekend. And Brian is with us.

Brian Gunn (00:06:16):

Good morning everybody. I'll make this short, I've got to jump off in about 20 minutes for another call, but I'll just go down a short list of things I guess that maybe have transpired since the call last week, which I wasn't able to make. Last week there was some email traffic about a COVID3.5 package. I guess they call it 3.5 because it was intended to be a more limited package, at least initially, to add money to some of the SBA loan accounts that had been had seen a lot of demand since the CARES Act was enacted. And on the tribal side, I think there was a list of items that NCI and other organizations had weighed in on asking that they'd be fixed if, if there was such a package. And as it turns out, the congressional folks and the White House weren't able to agree on the package. There were differences in opinion about the amounts of money. So that didn't happen last week. But apparently talks are still continuing about trying to resolve some of the SBA related issues and add money to those SBA accounts. But they just haven't been finalized yet. I think that the state of plays that with the members out of town, in order for any kind of legislative vehicle to pass it would need to be unanimous consent in both chambers, which is sort of difficult to do anyway. Maybe more difficult when things are contentious. So House leadership is saying that they're not expecting the House to be back in session until May 4th. Not to say that something can't happen before then if there's agreement, but the flurry of activity on what was going to be this SBA centered package last week ended up not bearing any fruit, but again, talks are remaining.

You probably have all seen that the Department of Treasury had their portal come online to register for the relief fund payments. I'm not sure if folks have navigated that yet or have looked at it. It's asking for some information for tribes that are registering; some of the things were tribal name, number of enrolled citizens or shareholders as the case may be. Also, if you're an ANC, the document seems to make fairly clear that Alaska Native Corporations can at least register to submit this information. And you may have seen, I think Kevin Allis when he gets on the phone will talk about this. There's been a fair amount of discussion over whether you know, ANCs are tribal governments for purposes of getting payments from the 8 billion under the CARES Act and that's a discussion that will probably continue. But anyway, the portal page is there. It's online if you haven't navigated already would encourage you to do so. I think they want to have folks to have completed or submit their information by this Friday. Treasury issued a press release yesterday that indicated at least my read of it was that about 70 billion of the \$150 billion relief fund for state, local governments and tribes will be going out as early as this week to the state and local governments. I guess that's my read of it. I think that makes sense because the state and local governments, they get a portion, their respective amounts based on population; some established formula data that they have already. So if they're were going to be getting half of that total relief fund out to the state and locals, it seems like they could do so. But that was in the Treasury press release yesterday.

Just moving on to a couple of other items very quickly. And this is something that I apologize if Laura has covered this or maybe covering it. This was brought to my attention by a couple of my colleagues who represent non-Indian healthcare providers. I've emailed some folks about this this morning, but the CARES Act has completely separate from any kind of IHS appropriations, \$100 billion in this Public Health and Social Services emergency fund, which is a fund that's administered by HHS. And essentially these are payments to healthcare providers to offset costs and loss revenue from responding to COVID19. I can provide Terri information. But tribal healthcare providers aren't excluded from this fund. Last Friday, HHS sent out about 30 billion of it, and they are currently trying to figure out how to spend the remaining 70 billion of it. And what they're looking at least according to what their press releases have been, they're looking at focusing 70 billion on areas that are particularly impacted by COVID19, rural health care providers, providers of services with lower shares of Medicare reimbursement or who predominantly serve the Medicaid population and some other factors. This money is not loan money;

it's grant money, it's direct payment money that doesn't need to be repaid. But again, with the fire hose of information, it's hard enough to keep up with kind of the Indian related stuff. This isn't Indian specific per se, but as I read it, tribal health care providers, you know, particularly community health care health providers that tribes may operate would be eligible for this. So I'll send this information to Terri so she can distribute it if folks are interested.

Lastly, this is not related to COVID19, but I wanted to flag it quickly. Well, going back about four years, you all may recall that ATNI was the author of that Indian trust asset reform, ATARA, which became law in 2016. There is a report that the Department of the Interior was supposed to provide to Congress about the future of the opposite of the special trustee. As luck would have it, that report got issued during this pandemic. I'm not seeing it online anywhere, but I do have a copy. I'll get it to Terri also. She could distribute it. I think some of the congressional offices are requesting feedback on that on that report, what folks think of it, whether there's any further things to be done. But I'll just send that to Terri and perhaps she can distribute it. In case folks are interested. So that's all I have Terri

Leonard Forsman ([00:13:44](#)):

Okay. Any questions out there?

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

Yes, I think the thing that I'm concerned about is what decisions they make with regard to the eligibility of the Alaska corporations. That's going to be a huge problem because that will distort whatever formula they come up with. I saw quite a few letters going out objecting all over Indian country. And I know a number of us sent individual tribal letters as well. One thing that's interesting is when I called the Interior about this topic that Tara actually objected to it. So I think the pressure is coming from someplace else like Lisa Murkowski or somebody else who has enough influence to try to wedge them into the 8 billion sharing. We will see what happens, they're going to make a decision any day, any time now.

Brian Gunn ([00:15:01](#)):

Just to respond to that. Chairman Allen, Brian here, me personally, I'm concerned about that also. I mean as I read it the CARES Act uses the definition tribal government throughout. There's one reference to the definition of Indian tribe and that's for who Treasury and Interior have to consult with. But it's clear that the only entities that are supposed to get paid are the tribal governments. So if they are going down this road it would be essentially them construing the ANC corporate entities as tribal governments, which I think is problematic. You know, I will say, having worked on stuff in the past, there have been, and I've shared this anecdote with folks, but you know, I was working on the Indian energy bill over the years, the one that became law in 2018 and there was a biomass provision that I would give regular updates to the ATNI conferences about this as it was progressing. We had this big sticking point about 6 years ago where Senator Murkowski's office was wanting to include ANCs in this provision. But the way they were trying to do it and they were very kind of insistent about it, was amending this definition of Indian trust land to include ANC corporate land, which is something that we objected to because it's just not the same. We ended up getting it resolved, but they put up a big fight about it. So, I guess some precedent for this elsewhere, but I agree it's troubling.

Ron Allen ([00:16:55](#)):

Well, if I might add one more point Brian, and others who were paying attention to it. The argument that I've been seeing is one; they're not a government. But number two it really allows the opportunity

for Alaska tribes to double dip. The 229 tribes will get a share, whatever it is, but then their corporations of which they are also members and not all Alaskan Natives are members of those corporations. It's a little awkward as well. So it is double dipping quite frankly and I don't appreciate that as anything near fair with regard to the distribution

\_\_\_\_ (00:17:41):

In the conference call with Interior and Treasury, the head of treasury that was on the calls, I forget his name right off. But he made it clear that he can't add language to the app and he could try and be liberal in his interpretation of using payroll or number of employees in a formula, but he couldn't make language that wasn't in the app. So how would they be approaching to include the ANC corporations in here when all through the discussions as well they were talking about the 580 federally recognized tribes. It's kind of dumbfounding that we're at this point last minute and all of a sudden it changes them, potentially could change the number to over 800. And that's huge. I think we have to really pay special attention to this or call whoever we have to or take whatever steps we need to, to try and not have that be included.

Sharon Goudy (00:18:55):

This is Sharon. And yesterday I made a comment that I, again, the relevancy to this conversation. I know that in the CFR it talks about you can't be enrolled in more than one tribe to receive the benefits of more than one tribe. And I know at Yakima, we do have some members who are enrolled Yakima, but they're also members of an Alaska corporation. And when asked about dual benefit, it was said that that's a corporation that's not according to the interpretation of the language being recognized as a another member of a federally recognized tribe. And so, you know, whatever weight that holds, I think they have to stick to the definition of whether or not those are enrolled members as opposed to shareholders for the purposes of identification of federally recognized native. And I think that's really important to kind of differentiate what you said about double dipping. I agree.

Mel Sheldon (00:19:56):

Well, it sounds like we all agree and we need to have all hands on deck to fight this. ANC corporations, not all of them have a whole lot of money, but they are a powerful group, 13 ANCs. We need to look at all the resources we can, as both as ATNI and as individual tribes; besides letter writing too. For instance, call Reuben Giago or other folks to get them on board if that's an opportunity. I don't know what the right direction is. Glen's right, you put 800 into the equation rather than 570 or whatever it is, it changes the equation dramatically.

Ron Allen (00:20:48):

Brian can I ask you before you leave; the bill you're talking about, the 3.5 version of the stimulus which was targeted at the increased money for the small business loans; if I heard it right around 250 billion or something like that. I thought that there were other provisions in there that was going to be helpful for the tribes. Did I, did I miss your summary on that question?

Brian Gunn (00:21:15):

Mitch McConnell released his bill, which would have simply added the 250 billion to those SBA loan accounts. They moved to hotline that through the Senate, which was objected to by the Dems. The Dems counteroffer was that money, but also adding some additional provisions, which I think you're referring to and ultimately they weren't able to reach agreement over the dollar amount. The

Administration, it sounds like, and the congressional folks couldn't reach agreement over the dollar amount, but the talks remain ongoing. So the additional tribal provisions were, I think communicated in a multi-organizational letter to the Hill last week. But those were not included in the version of the bill that Mitch McConnell had had floated and tried to hotline through the Senate.

Ron Allen ([00:22:13](#)):

Okay. So the point that I'm concerned about is, is the unemployment, the FUTA provision, where we only get reimbursed 50%. I want to encourage you and our other lobbyists members to keep that in mind. You'll get traction on that 3.5 version that we want that unemployment provision corrected so we get reimbursed 100 percent. I do not like the idea of having to use our share of the 8 billion to deal with that other 50%.

Brian Gunn ([00:22:54](#)):

Yeah, I agree with you completely. I've had a couple of offices just reach out to me informally asking about the issue and I've repeated what you said. For the Washington tribes, Congresswoman Deb Baney you know is a key player here because she's on the House Ways and Means Committee, which has jurisdiction over that provision. She would be a key person to target on this.

Leonard Forsman ([00:23:27](#)):

I just wanted to jump in real quick. I know you got to run Brian. But I think it's it looks like when you look at the certification document that Treasury put out for us to fill out and it asks us to put population in and it says Indian tribes, citizens, members and shareholders. That doesn't sound very promising to me.

Brian Gunn ([00:23:55](#)):

Well, especially when you read the end and they're saying that the definition of Indian tribe, they're repeating the the definition of Indian tribe, which includes Alaska village and regional corporations. Despite the fact that under the CARES Act, the only eligible entities to be paid our tribal government. So, yeah I have a lot of concerns with that document also.

Leonard Forsman([00:24:26](#)):

If there's any way of altering this discussion, obviously they are well aware Indian country is against this. So I don't know what else, do you have any suggestions to be the most efficient use of our time and energy?

Ron Allen ([00:24:46](#)):

Well, one thing Leonard I don't know when Kevin's coming on board, but I know they've already objected to it from NCAI. So it'd be good for us at ATNI to also object to that one. The way they've captured it I thought was quite good. I've seen some other good arguments against the eligibility of them. We have a DOI meeting today on other issues, in regard to the employee credit, etc. But so we can raise it even in that context is to get to get it on their radar. Isn't there a White House meeting tomorrow; I'm drawing a blank here but I think there is. I just think we need to keep objecting to it. But they're going to make the call and that money's going out and once it goes out, it's gone. And I think that is the injustice, that's a done deal.

Leonard Forsman:

There's a call on Thursday at 1pm our time, the White House call is on Thursday. The Interior call at noon tomorrow.

Ron Allen ([00:26:09](#)):

Tomorrow may be our best shot. We might have to make some calls to our senators. I'm guessing Lisa Murkowski is the one who championed that agenda. When I talked to Mark Cruz and I accused Tara of having a conflict of interest; he said it was not her and that she thought it was not right for the ANC corporations to be in but lost that battle, according to him. We're all trying to figure out how did it happen? Lisa has been very close to ANC corporations, she feels that they are the ones that made a difference for her election.

Leonard Forsman ([00:26:58](#)):

Well, don't leave the other Senator out of the discussion either.

Ron Allen ([00:27:03](#)):

Yeah. You mean Sullivan? Yeah, correct. Yeah, he's in the mix as well.

Leonard Forsman([00:27:07](#)):

Yeah, I think he's a pretty good size main ingredient in the mix.

Sharon Goudy ([00:27:16](#)):

In response to the letter; ATNI Executive Board did approve a letter patterned after the NCAI letter yesterday.

Brian Gunn([00:27:28](#)):

This is Brian.; I've got to jump off the call. Thank you all for having me again.

Ron Allen ([00:27:45](#)):

We might want to have to raise this conversation tomorrow. So when you saw that the 453 million being broken out on the BIA side, I can't remember, I think it's 80 million that's in GA. So we will want to know how that is being divvied up. Typically what they've done is they've gotten data on a number of unemployed people in the tribe and use that as a formula base. They withheld a number of dollars, including 20 million, for what they deem as unexpected challenges in different areas of Indian country. As many know, for example, Navajo has a big influx of COVID19 cases; Lummi has reported that kind of issue up by Bellingham. So I don't know how they're going to use that 20 million. The 80 million for GA, which we all need the GA money. My tribe is already running out of it because we have so many people on unemployment? And so that's going to be a big deal to get that money out and figure out how fast they're going to move on that, what that formula is.

Leonard Forsman ([00:29:15](#)):

Yeah. Ron and that call tomorrow is only an hour.

Terri Parr ([00:29:47](#)):

There is a question in the chat box and it says, is there a way that the tribes could make sure that regardless of the size of our tribal members business that they received the full \$10,000. I recently saw that if you have less than 10 employees, you will only receive \$1,000 of SBA. Can anyone answer that?

Speaker 4 ([00:30:18](#)):

Is Amber on the line?

Speaker 7 ([00:30:29](#)):

Well, I don't, I've been tracking it. I'm not sure that that is a done deal. So I know Kevin and his team are working, I see him on the line here, are working on the SBA rules with regard to accessing those resources. But I'm not sure; that was a formula that they were toying with that they thought was appropriate. But to say the obvious that you're struggling with, \$1,000 means nothing to a small business.

Terri Parr ([00:31:07](#)):

And we have been trying to get SBA on the line and we will make sure we get them on next week.

Leonard Forsman ([00:31:28](#)):

You mainly have to go through a bank to get those. I know on the payback protection, you have to go through the bank. So it depends on the bank though, if they're engaged or not, from what I understand.

Terri Parr ([00:31:55](#)):

All right. We'll move on. Laura.

Laura Platero ([00:32:06](#)):

Hi, good morning everyone. So I just have an update on the data from the health board. So just wanted to give you the numbers for our States and then the number for our Portland Area tribes and what's being reported. So starting off with Oregon, there's 1,526 cases with 52 deaths; Idaho, there's 1,407 cases with 27 deaths and in Washington there's 9,877 cases with 506 deaths.

There's a site that monitors peaks, IHME, they basically have reported that Oregon will peak on April 27th which is 13 days from now. And with Idaho and Washington, per that website, they basically have already peaked. So Idaho peaked 4 days ago on April 10th and Washington peaked on April 6<sup>th</sup>; that was eight days ago. So just wanted to share that information in terms of what's going on statewide. And then in terms of the Indian health system overall, IHS reported overall that there is 1,037 cases and this was as of April 12th. They haven't updated their website in the past couple of days or haven't yet. And then for the Portland Area we've had 633 tests done and 62 are positive. And our epi center is working closely to collect that data with the Indian health service, only 50% of the tribes are recording data. So we really encourage your tribe to submit the data we are working with IHS. It's critical to get that data in because that does obviously give us a good picture of what is happening in Indian country but also could influence funding. So we encourage you to ask your tribal health directors if they're getting that data into us. The survey that we're doing to collect the data in terms of testing and positive cases also has questions about PPE. And eight of the 26 tribes that responded have adequate PPE and then 80% basically have shortages. So again, this is really important data for us to gather because it really does help with the advocacy and to understand the needs in our area. We are having our 10:00 AM tribal call

right after this call and one of the things we'll be showing is the funding chart. So tracking all of the legislation and the funding sources, just wanted to give you an update on what's available now and how to access those funds. Our epi center did receive the 30 million of CDC funding and we have put that out, a request for all the tribes to receive that funding from us. We have a very short application that we just needed you to complete so we can get the money out to you. And that's available now. We've only received a few requests so far, it's around \$60,000. So just please encourage your tribes to get that. It's a very short form to complete and then we send a contract to you to get those funds out. And those are very specific to data surveillance monitoring type activities. So does anyone have any questions about what I've shared?

Ron Allen ([00:35:50](#)):

This is Ron. I have a different question. What is the value in the opportunity in that HRSA money coming out. I do not know how we can use that money.

Laura Platero ([00:36:07](#)):

So here's the HRSA funding; it's a telehealth and rural health activity set aside for tribes, tribal organizations and urban Indian health organizations or health service providers under HRSA . Funding is for health surveillance and other needs under the HRSA rural health program. Terri I'll send you this document. It links to all of the information related to the funding source and then also has information on when consultations will be taking place. We've been tracking this for all of the health funding opportunities.

Ron Allen([00:39:13](#)):

I need to ask again about the telehealth Medicare, Medicaid rates that we want to get reimbursed at. Is there any update on that status?

Laura Plater ([00:39:34](#)):

No, I don't have any new information at this point, Ron. That is something we're continuing to request increased rates for.

Ron Allen ([00:39:42](#)):

I need to double check with Brent on my end. I think we get Medicaid rates; we don't get Medicare rates. Am I correct about that or do you know?

Laura Platero

You're getting a very low rate for the Medicare.

Ron Allen ([00:40:01](#)):

We get like \$15, \$16 case, which is ridiculous. I think the rate is supposed to be a more like \$160.

Laura Platero ([00:40:17](#)):

You'll see from our funding chart, I'll start from the top just so you can see. The Health Policy Analyst, Sarah Sullivan at the board, pulled this together. You'll see that it has some of the funding that's available related to health. So those sort of different packages that have gone through. So this is the first



one. So you'll see here, this is that 40 million that's now available through grants. But this is the one that we were very frustrated about because we asked for interagency transfer of these funds and it went out through grants. And then this 30 million from CDC, this item is the one that went through the epicenters that's available right now through our tribal epicenter at the Northwest Portland Area Indian Health Board. It's posted on our website. So if you need any additional information about that and I can actually send it to Terri too, we did send out an email about that. You know, just to make sure the right person is getting the information to request those funds. And we made it as simple as possible in terms of not making it burdensome and then you'll just see there's the other fundings. So the 64 million from IHS, this already went out and this is specific to COVID 19, under the Indian Health Service. Then the 70 million, I know 40 million of it, you'll see in the description, is supposed to go for the purchase of PPE and medical supplies through the IHS national supply service centers. So I think this chart will be helpful for you all to sort of see where things are at. We're trying hard to keep track of all the consultations and links to the funding sources.

Ron Allen ([00:42:03](#)):

One of the things our finance office and the health care programs are struggling with if I can put it that way is these monies are coming down with specific kinds of intent or purpose. They are "suppose to be flexible". But the question of the day is; how we code them, which monies do we use for what purposes? When you look at them, they overlap a lot. So you see supplies and PPE in different areas, et cetera or different kinds of costs; salary, et cetera. So it makes our job and accounting very challenging. So the actual job of reviewing whether or not we spent the money right is the Inspector General. But at the end of the day, next year our auditor's are going to do some cross-references and they may cross reference any one of these activities and wonder exactly how, how are those monies used. So I think we need to be careful how we handle this and what we recommend to the tribe so that we don't get into spit matches with our auditors or the feds on the use of these monies.

Laura Platero ([00:43:28](#)):

Yeah, I agree with you completely Chairman Allen. I know that Washington state has also issued some funding and they're basically saying it has to supplement and it can't replace federal funds. So there's all of these layers of funds that are coming in that are going to have to be tracked closely.

Terri, I don't have anything else right now. Unless anyone has any more questions for me and I can send this chart out.

Leonard Forsman

We will move on to FEMA.

Aurora Lair ([00:44:17](#)):

Hi, good morning everybody. My name is Aurora Lair, I am a tribal liaison for FEMA Region 10. I know I've seen several of you or heard several of you on the twice weekly calls that BIA Northwest region hosts. So I apologize if any of this information is redundant for you. But just to give you an update on what FEMA is doing or kind of the activities that FEMA has going on right now in response to COVID19. So as everyone knows, there was an declaration of a national emergency on March 13th, and through that tribes can seek FEMA assistance for emergency protective measures and that's a reimbursement at 75% federal 25% Non-Federal and tribes have the option to seek that reimbursement either as a sub recipient to the state or directly from FEMA. Currently within Region 10, which is Washington, Oregon, Idaho and Alaska. There's 1 tribe that has selected to be a direct recipient and 41

tribes have elected to work as sub-recipients to the state. There are two main reasons that that happens. One is the states of Washington and Alaska will pick up the 25% non-federal cost share so tribes are reimbursed at 100% for eligible emergency protective measures. In Idaho, the state will pick up 15%, so the tribes are left with 10%. Oregon does not cover any of the 25% non-federal share. But all of the States basically pick up the administrative burden, which as all of you know, working with any federal grant program has a pretty hefty administrative burden and FEMA is no different in that respect. So that's pretty much what we're hearing at this point. There is no deadline to seek assistance. That deadline will be set once the incident period has been closed. And in the meantime we're just encouraging everyone to continue to track all of the activities. If you had to hire on additional staff for enforcement of you know, closures or anything like that, any additional steps that have had to take place to disinfect your healthcare sites or elder services areas or even ensuring that your offices are safe for staff to be in at a socially distanced area. Those are some examples of eligible emergency protective measures. And again, that's reimbursed at different rates depending on the tribe's status or recipient status.

The other thing that has come up and less so recently, but there was a bigger push within the couple of weeks prior to this was several tribes were interested in setting up alternate care sites or isolation or quarantine areas. And we at FEMA are able to enlist the support of the Army Corps of Engineers to conduct site assessments, which is basically a technical assistance for ensuring that the tribe has everything it needs to set up a site and keep that site up and running. I think with a lot of the West Coast measures actions that were taken pretty early on, we're seeing that there hasn't been an overrun of the hospitals and healthcare facilities. And so those alternate care sites aren't as much in demand at this time. But of course, being prepared never hurts. So we support those requests as they come in. And I think that's pretty much all I have. But I did want to open it up and be available for any questions that anyone may have.

Leonard Forsman:

Any questions for FEMA? Are you being able to get the resources distributed or do you feel that there's any of the tribes can do to help you get the money distributed or has it been fairly smooth?

Aurora Lair ([00:49:35](#)):

Well I guess it depends on which resources you're talking about. I mean, there's national shortages of PPE and that's certainly something that we're working through. And again, I think there was a pretty big push early on where people were getting pretty frustrated with not being able to get supplies as quickly as needed, especially with the rapid testing kits. Fortunately those have started to land on the ground out in the communities, especially the rural communities that were really needing that resource. As far as money out the door, it's pretty much standard operating at this point for FEMA. It's, a reimbursement program. There's no real push for it. If there are any tribes that are ready to start formulating those project worksheets and you know, putting those expenses in, we have the capability to push those through as expedited requests. We aren't particularly impacted by the CARES Act. FEMA as activities and reimbursements are through the disaster relief fund which is a separate existing source of money; so nothing there has really changed.

Terri Parr([00:51:25](#)):

People are asking if they can get a copy of the health board funding chart and yes, we will get that sent out. Then there is a phone call this afternoon 1pm our time, 4:00 PM Eastern time with regards to that, her some money funding, the 15 million tribal set aside.

Ron Allen ([00:51:57](#)):

I think Terri, that is a CMS/TTAG conference call on that subject matter.

Terri Parr ([00:52:11](#)):

Okay, sure. I can get that out. We'll move on. Chantele is with us this morning to give a brief update on what's going on in Idaho.

Speaker 15 ([00:52:43](#)):

Good morning everybody. My name is Chantele Green and I currently serve as the Secretary to the Nez Perce Tribe Executive Committee on behalf of the Nez Perce Tribe. So we've been working very closely with Northwest Portland Area Indian Health Board, IHS, and the State Idaho Health and Welfare on data reporting. To date our efforts consist recognizing the threat being that we're so close to Washington and Oregon a little bit earlier on. So we moved on things before the state of Idaho because of our health disparities in our communities. So we started our efforts a little bit earlier than the state to do early and immediate orders of resolutions to establish our formal emergency response team and implementing proactive measures to aid the community. We declared a public health emergency and placed travel bands for employees, we put holds on large gatherings of events, meetings. We'd reduce to essential-nonessential, put into place, stay at home orders and implementation of increased sanitation. For early education departments and our boys and girls clubs of the Nez Perce tribe we closed on Monday, March 16th. And then we had temporary closures of our casinos. I'm not certain of, we're all pretty much around the same closure dates. I think we were the first tribe to close down our enterprises and that was right away, I believe, on that same date of March 16<sup>th</sup> and that is until further notice, I believe we're looking at May 1st to have an update on openings or closures to continue.

So the Nez Perce tribe continues to run its emergency operations command center under the direction of Commander Marty Antonio. Our incident command is currently operating in a response level higher than currently needed because of the high disparities and that meet that vulnerable population of higher risk. We increased the potential for spread in COVID19 in our area to mitigate that. Our EOC team meets daily to debrief, discuss and address requests. They work collaboratively with our Nimiipu health, our public health to make sure that we're helping assist our clinic with the demands that are coming in currently. Our EOC and our police department officers are working collaboratively with law enforcement agencies outside of the Nez Perce County just to ensure the safety of everybody being that our communities are very intertwined. Despite the public health, our tribe is still open and operating and providing essential services to the public.

We have been having governor calls and our next call is with the Governor on Wednesday, I believe tomorrow. And then we've also been having informal calls every Thursday amongst our tribal chairmen. Within those calls, they had established a finance team responding teams so that we can be a little bit more sync on moving our issues forward, especially with all the budget information coming forward. They established a committee that would respond to all of the needs and have a rep from each tribe; we only have five tribes in Idaho. So we have a rep sitting on from each tribe. And then I was placed on the Idaho Governor's finance team that was in charge of the 1.25 billion that will be coming to the state of Idaho. Within that the breakout to the tribes is 30% and then that's broken into 25% based on population based, and then the stabilization fund is at 75%. Some of the discussions for that are still in the air as of right now. So they're still looking for guidance from the federal government and then kind of looking at discussions of following the sales tax, which doesn't include tribes. So for those tribes that are on there, please response to the emails that I'm sending to you. We're also having issues with data and I know that was reported out from the governor of Idaho. And so with a little bit of research the

essence program, we do have data surveillance issues with our tribes not being able to get a direct communication with our tribal members who live within the reservation and are seeing outside or local hospitals where as some of our people could be being sent home as of right now and just being guided to quarantine. That is an issue, especially if we're not knowing about it and we have all these efforts to mitigate, but we're not being notified of our people that could be positive or as of right now, we don't even know where are or if they're positive at all. Looking for solutions for that and of course will be working with the Northwest Portland Health Board. Again, wanting to give a great appreciation to all of our healthcare teams who've been working tirelessly and a lot of quick and fast work. So great appreciation and thank you for all of the work

Leonard Forsman ([00:59:03](#)):

All right, thank you. Any questions? It sounds encouraging that you're having some positive state tribal relations in Idaho it sounds like.

Chantele Green:

Yes, I feel like we've been working pretty well together. We typically get along with Idaho Health and Welfare who's been pretty responsive to most of our concerns. I know the four other tribes did get supplies recently sent to them. So that's a good thing. It seems like that they're looking to include at least even for the funding that's coming out as well. That's greatly appreciated.

Terri Parr ([00:59:58](#)):

Leonard, do you want to provide a Washington update?

Leonard Forsman ([01:00:12](#)):

Well, we're still very engaged with the state of Washington of course, on a number of levels. And we've been having weekly calls with Governor Inslee and talking about opportunities and updates as well. We're working on trying to get our portion of the funding that the state is going to provide analyzed and distributed and working on a plan for that with the state and that's been going OK. These things are very difficult of course to do. But we feel like we've got some kind of a model that maybe Ron could give us a brief update on in a second. And then I think that we've been closely engaged with the state with their public health efforts. I'm sure many of you have been also very engaged with your counties and local elected officials. Here in Kitsap we have been having weekly calls with the County and local public health doctors have been giving us updates on what's going on locally. So that's been my major experience with the state. And I don't know if you have any other updates, Ron?

Ron Allen ([01:01:41](#)):

Well, I that add to your first point our tribal work group, working with the state to allocate the 10 million out of the 200 million that the state legislature authorized. We come up with six options. We think we've got one that works. We're vetting that with the tribes now in Washington. Then Department of Health just issued a commitment of 100,000 to each tribe as well for healthcare COVID issue. So we're looking forward to that. Our work group not only are working on the 10 million that will go to the tribes but the state agrees that we should get a share of the 2.95 billion out of the Stimulus 3 allocation. So we will circle back if our formula works. We may propose a variation of it so that our tribes get a share of that as well. So every little bit helps for all the tribes from the large ones through the small ones.

Taylor Aalvik ([01:02:51](#)):

I'm just curious to the recent announcement of the three governors, one California, Oregon and Washington on developing a plan to basically reopen the West as far as economies; have the tribes been involved or had any in depth discussion on what that plan may entail.

Leonard Forsman([01:03:33](#)):

I haven't heard a whole lot other than what is on the news about any movement towards reopening the economy and reducing the restrictions. However, I know that there doesn't seem to be a real satisfactory approach going forward. I don't think we're going to get a 100% satisfaction out of it because I think a lot of it has to do with the testing and its accuracy. And that that's a big part of it. And also having enough testing and labs available. So how do you determine what's safe and that's going to be the challenge moving forward. I don't know if anybody else has anything to add to that.

Ron Allen ([01:04:15](#)):

Well, we all know what the three governors have done with regard to opening up the economy and what would be the framework of it as they release their stay at home restrictions. So they haven't circled back to us. I think that Leonard and I and others may want to engage with the governor shop about that conversation because we are all concerned about it with regard to our properties. Everything from our casinos, host hotels and other economic development properties that were shut down. So we don't know Taylor, that's a good question. I am sure it affects you guys down there. But that's also relative to construction because construction has been hampered; for those who are in the middle of their construction project. And the issue is getting to and from tribe's properties by the subcontractors; we think we got that cleaned up. But I even found out that that there are some contractors and vendors who are hesitant to travel to our properties while we're still in the shutdown phase, there's still work to be done. So those are clarifications that need to be worked out and to my knowledge, we haven't engaged with the governor's office on our views of those changes.

Terri Parr ([01:05:57](#)):

I just want to share with everyone that the call for the HRSA funding, the 15 million – if you want to write this down, I'll give you the number and the passcode, otherwise I can send it to you as well. The number is (866) 646-8907. And the pass code is 2124472 – and that is today with HHS.

Leonard Forsman:

Okay Kevin Allis on CARES Act implementation

Speaker 17 ([01:07:20](#)):

Hi everybody. Couple of consultations today on PPP and tax credits; those are this afternoon; they are short consultations, only about an hour, an hour and a half each. So pretty important on eligible businesses and whether tribal governments are eligible for tax credits and that conversation. It'd be interesting how that plays out, but encourage everybody to weigh in. We've heard some of the other consultations going on around health care and of that nature.

So the biggest thing that I have been involved in and our board, of course, is this issue about the \$8 billion government relief fund. We don't quite know where that stands and I've been going back and forth with Dan Kuwalski with Treasury; a conversation with him that would include President Sharp on just kind of clarifying in fully understanding what our concern is with respect to bringing in non-tribal

government entities into the mix. If you all saw yesterday, OMB and Treasury pushed out a form to Indian country on some information that all tribes need to be getting their head around. That's tribal membership numbers, population, the number of employees and land size, you'll probably notice that they included shareholders in that and also \_\_\_ land. So that all came out before consultation was finished which is kind of a kick in the pants a little bit. And kind of tells us where their mindset is on this. This has become a pretty serious issue. I know, ATNI weighed in on it and after NCAI took a initial stab at this to try to set the record straight on what was the tribal government or not. We're really concerned about it and, and I think we all should. We sent a second letter yesterday that solidified our position of, you know, what the language in the bill speaks to when it comes, when it comes to what government relief is for tribal government and what it's not. We also spent a decent amount of time in the letter urging Congress and Interior to take into consideration, you know, of the complicated situation that exists in Alaska and allow tribal governments and Alaska to have the flexibility to use their funding. That's, you know designed to address the impacts of COVID19 in a way that's best for them. And if that is to allocate portions to consortium's or corporations or whatever that be, that they should be allowed that flexibility, knowing that many of our members in Alaska and recognized tribal governments up there don't have the capacity to do everything. In a sense, outsource that to different organizations and folks to do. That's fine. But let the tribal government allocate that money and let the allocation to the tribal government be based on what the tribal government needs because that's the intent of Title 5 of the CARES Act. So I don't know how this plays out. From all signs that we've seen so far it looks like that their intention right now is to include all the village corporations and regionals, which would add almost 300 entities to the existing 574 federally recognized tribes and almost from a pure weight standpoint two thirds of eligible entities, for lack of a better word to use, would be those that are in Alaska as opposed to lower 48. It's kept us up all night and you probably saw me yawn a little bit earlier; I was up till 2 in the morning with folks dealing with this and crafting and strategizing and who we need to talk to because it is 11:50 PM on this and this is a serious issue. I was interviewed yesterday by Michelle Miller; I'm going to be on CBS This Morning, a national publication Saturday morning, this came up really quick and Michelle Miller is Mark 's wife and I've been beating on Mark Morielle for a couple of weeks now that he's got to help me and help Indian country get national focus to this. And he came through and, we'll be talking to NBC later today. In my interview, which was taped and they'll work with it. I spoke to all the normal things that we've been speaking about for the last couple of weeks. But I was asked this question about funding and addressed it in a very diplomatic fashion that doesn't point fingers but you know, raises the issue that you know, tribes are concerned about the breath and scope of disbursements of funds and what impact that can have on our tribal communities in the lives of our citizens. So we had an internal meeting this morning on what kind of messaging that we're going to roll out this afternoon and over the course of the next couple of days that makes all our tribal governments feel safe, including those in Alaska that we're not interested in making this an ANC versus tribal issue. This is just about trying to get dollars to tribal governments to deal with their things that they're facing because of this pandemic. I'm still maybe like some of you a little bit in a state of shock. I was literally in my car driving home from the Embassy on Friday around 4pm when my phone started blowing up from board members and tribal leaders over the course of the next hour. I was looking forward to a nice 3-day weekend after working hard for 3 weeks. I told somebody I was listening to Earth, Wind and Fire, had my windows open, it was 70 degrees; I was loving life and then this hit the fan and it came out of nowhere and blindsided me. I'm sure it blindsided you and so we're trying to deal with it the best we can. Any questions,

Taylor Aalvik: [\(01:15:31\)](#):

This is kind of awkward and I know vast majority of all tribes and lower 48 are not happy about the ANC issue. I know that at least one example, my daughter actually is a shareholder in an ANC corporation, but she's a member of the Cowlitz tribe. I'm wondering is it advisable that maybe each individual tribe that knowingly has, like what Sharon was talking about, members that are also shareholders within the ANC corporation, that each of those individual tribes report that?

Kevin Allis [\(01:16:32\)](#):

I don't know what advice to give you on that. This is so confusing. I actually received an email yesterday, which I'm going to follow up on today to confirm it. It looks like the health board and the South Central Foundation may also be considering, well we're arms of these tribes providing services to them. Maybe we should be getting distributions as well. This has just gotten kind of crazy. And its so far from the intent. We were on the phone with some members yesterday and Mr. Cole was at the time when I was talking to folks in his office, was on the phone with Mark Meadows in the White House ripping them apart is what they was told to me, saying this was not what was supposed to be happening. He's very upset. And right after a call that I had with Mr. Young's office who told me if it hadn't been for Don Young and Tom Cole, we wouldn't have even been in the bill. And I'm thinking, after I had that conversation and hearing how Cole is calling the White House, I'm like, 'Oh my God, what are these offices spinning; you know, they're trying to spin this to me in this manner; that somehow Mr. Cole is cool with this'. Yet, then I find out like literally 10 minutes later these on the phone with Mark Meadows and, and then when I reached back to the person that I was talking to, he actually started yelling at me and insulting the organization and saying, you guys had two weeks to review this bill; it's not our fault you missed it. And we're like, what are you talking about? We never even fathom this when we read the bill. And wondering why we're pulling this rabbit out of our hat in the 11th hour. I said, well, we're not pulling a rabbit out of our hat. We've found this out literally Friday after four o'clock, after the consultation. I can guarantee you had anybody on the NCAI board known anything about this; several of them spoke during the consultation, they would have raised the issue. But the evidence that we didn't know about this is in the fact that this issue was never raised during the tribal consultations. And, what I have subsequently found out it, which is very disappointing, is all these corporation executives were on the phone calls with the consultations. Also knew that the delegation addressed the Alaskans and Alaska native corporations two days after the bill was signed into law at their delegation meeting. And, this has been an active discussion up there for two weeks with their government relations folks in the room who were also part of the work groups that NCAI was organizing with the 132 people; they were embedded in that and knew about what was going on North of the border. And if there could have had there been some kind of transparency maybe could have come to the same place, but we weren't given the opportunity to be able to address this. We had an emergency meeting on Saturday night after we confirmed, when I was hearing all these rumors, I said, everybody take a deep breath. Let me make a few phone calls, Jake and I to confirm this cause we're not going to spread a bad rumor. Let's confirm it. Well, we confirmed it in short order and a call that Jake had with Mark Crews. And that's when I alerted the board that we've got an issue we need to talk about. And when the board took action unanimously, we've been hammered, you know, and now we're fine with it because, you know, we were hammered what is NCAI doing their troublemakers, all this kinds of stuff by the folks that were discovered in the late, in the 11th hour. I think there seems like people are mad that it came out and it is unnecessarily caused a lot of tension between all of us and some of our friends that are in Alaska. And I'm genuinely concerned about what this means moving forward. And I was speaking to a think tank last night about it and I said I am worried that I know that there's a dozen or so members on both sides of the aisle, both in the Senate and the House that strongly disagree with this interpretation and in future acts, whether it's

a future CARES bill, which the other news is I heard McConnell just announced the earliest that their sentence coming back is May 4th. So now it's pushed another couple of weeks. So who knows when there's going to be a next bill. That any kind of future action around government relief funding for tribes, if our advocates want to put in language that clarifies what a tribal government is, is that going to raise this issue again about kind of these two, we versus they argument and keep this going. And does the outflow of money in this particular situation to corporations for a government program, does that weaken our ability in the future to bifurcate the two? I mean we've got to be thinking about these things and there's a lot of damage on many levels that we all have to be mindful of. But this afternoon we're going to make it very clear that we're not trying to create a war. We're just trying to honor the intent of Congress and tribal sovereignty and that it's a government relief fund for governments, political bodies to address the needs of their citizens. And that these tribes, all tribes across the country, should be given the flexibility to use their allocated funds for the purposes, the best way they see fit, whatever that looks like. And you know, that's the best we can do.

Leonard Forsman

Okay. Any questions out there?

Mel Sheldon ([01:23:57](#)):

Thank you so much for being on the front lines there. This to me sounds like power politics at its finest there with the type of power they have up there. It's just seems like all hands on deck as I mentioned earlier. Looking for the strategy, it sounds like they just got the jump on us. And how do we now create a strategy? To Ron, Leonard and others, I'm ready to call my good friend, Ron Dotzauer. You all have good relationships with Senator Murray and Cantwell, who else do we need to touch out>. Ron has offices in 14 States. I mean, if it's all hands-on-deck to turn this back to help Kevin and the team, whatever we got to do, I'm looking for direction.

Ron Allen ([01:24:56](#)):

I agree, Mel, it is all hands-on-deck but it's a moving target. And I appreciate Kevin's summary and review of the dialogue going on with Congress and administration. I just texted in the chat box; there's no way we had two weeks to look at the language. The language kept changing on us. We kept advocating for certain provisions and committed resources, et cetera. And what's happening right now on this particular topic with regard to the ANC corporation? It's now an interpretation of the intent of the Act. Quite frankly, we have some political powers. The ANC corporations, quite frankly, if no one's paying attention to them, make a lot of money, these guys are making billions of dollars and they're huge in the oil industry and so forth. They're a very diversified set of corporations, all 13 of them. And so we need to call in our political leadership and challenge them and raise a question about what's going on. Going to Kevin's point it's intended on a government-to-government relationship and corporations are not government, it's as simple as that. So we need to do what we can to raise the screaming level, if we don't start getting loud about this objection then we're not going to get traction. The decision is not made yet. They're getting close, but it's not made yet. So we still have time.

Kevin Allis ([01:26:51](#)):

Ron, that's a great point. When I was at NACCA I developed relationships with some of these people and I still have close friends up there that are CEOs for some of the regionals. And I did talk to them. And then I have folks up there that don't care much for me, which doesn't matter to me. They are so hyper-focused on two words, Indian tribe. I keep saying, there's thousands of other words in the bill, that you



render meaningless if you only look at two words. Especially when it comes to the definition of tribal government in title 5 tribal government is the recognized governing body of an Indian tribe. So when you only look at Indian tribe and that definition, you give no credence or credibility or acknowledgement to the words, what is a recognized governing body of an Indian tribe? For the life of me, even talking to some of the lawyer lobbyists that represent these folks, who completely ignore that and refuse to address it. When the delegation had their meeting with these folks up in Alaska, what I heard was that the ANCs were miffed that they weren't expressly included in the bill. And I was told there was like this little uneasy silence and then Mr. Young said, "no you are, don't worry about it we got in the definition of Indian tribe as it pertains to the Self Determination Act". So that's where this is all founded and it makes sense to me. When that was told to me, I said, Oh, now I got it. Why all you folks are only being hyper-focused here because it's like, look over here, there's nothing to see over there. Okay. And then when I heard that they were all on the calls listening to the tribal leaders. Well this has really gotten under my crawl too, is they were listening to the tribal leaders knowing that they've been talking about this for a couple of weeks because they admit that, they keep saying, well we've been talking about this for two weeks, why weren't you. And they listen to the Great Plains tribal leaders talk about the really need to really focus on large land-based tribes and give some apportionment based on landmass. And they listened to the tribal leaders in California talk about the number of employees, really need to focus on number of employees and all that. Well they know that they control 44 million acres of land, there's only about a 100 million in all of Indian country, if you consider that part of Indian country, 44 million acres of land. And as to Ron's point these are big billion dollar corporations with thousands of employees all over the country. So when you're putting landmass and number of employees in a formula and let the tribes make the argument for that and not say anything and know you were listening in.

Ron Allen ([01:30:34](#)):

Well and expenditures, expenditures is a line item in there and those corporations when you look at their expenditures, including salaries is a huge number.

Kevin Allis ([01:30:47](#)):

And then the one person I spoke to said you don't understand Kevin, some of our companies are energy companies and they're getting killed because of the low price of oil. And then in the very next sentence said, we got to make sure we can secure a reasonable dividend payment to our shareholders. And I said, stop right there. There are two problems with that one, the price of oil being down has nothing to do with this virus. It has to do with OPEC and Russia not getting along and just putting out all kinds of oil unrelated to this virus. Number two, we've been expressly told, the tribe that if we're per cap tribes, we can't use this money to refund per capita payments that have stopped and to take this money and just provide dividends to shareholders. And there's just such a disconnect with all of this that it's just very upsetting. We got to keep pushing hard, but we're trying to do it in a way that's not getting our tribal governments up there concerned because some of these folks and tribes do need the consortium's and the corporations to help deliver services.

Leonard Forsman ([01:32:12](#)):

All right, we're going to go ahead and try to wrap this up. Kevin, really appreciate it. I think that we kind of knew these conversations were going on, but we didn't know that they were actually getting a real serious audience and I think that's what happened. Because we wrote it in our letter on the eighth that we'd heard something was going on that we didn't like it. But then we found out the end of the last week that they are actually being taken seriously, which really shocked us. We have our friends in the

House, I feel they are looking out for us on a lot of issues around funding. But we know that we get left out of a lot of bills. We got left out of the tax bill. We got to remember where the credit goes because there's a lot of people taking credit for this 8 billion being in there. And as you know, Kevin, it was Pelosi's office was really key and there were a couple other people on Dem side. I'm trying not to be partisan here, but we got to balance this thing out. Because there's a Republican White House, a lot of people are taking credit for it when really the push in the standoff was made in Pelosi's office from what I understand. So that we got to remember all of that, that it's a balanced attack here. And that we have people that are willing to hold up legislation until we're included. So I just wanted to make that point. I'm just wondering if Congress can help in any way, because really it's up to Treasury now and Interior. So like you said, I think Congressman Cole's a good advocate because he definitely would not have a personal relationship with Mark Meadows, who is the Chief of Staff for the White House. But I would think that I'm just don't know if there's any other key allies that we can think of that we need to call. And if you have any ideas, let me know him right now in the next minute or so.

Kevin Allis ([01:34:22](#)):

Those allies are important; but we're also working with Danes and McSally, they're on the committee, to get to Murkowski because Murkowski is a part of this. Its my understanding Danes is a clear, Oh hell no, this isn't happening. We've got to find some Republican Senators to challenge the strong Alaska Senators on this issue.

Leonard Forsman ([01:34:55](#)):

Anything else for NCAI

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

Kevin there is comments in the chat box thanking you for your work. Then just to the group when Kevin said that the letter from the NCAI board was unanimous, that included two representatives from Alaska. And the last thing is that the PPE consultation is underway; it started eight minutes ago.

Leonard Forsman ([01:35:36](#)):

Okay. Well we'll let people go. I just wanted one last thing. I think it's important for our tribes to know about the opportunity for folks who do not file taxes to get the stimulus check. And there's a way for you people who haven't filed to get online, get an account and get paid. So we have a lot of people that are seasonal workers or treaty fishermen or you know have side jobs. They're off the grid, as we say, are able to get the check if they are willing to sign up.

Thank you everybody. Thanks. Executive board members, Mel and Sharon and Jeannie and Taylor Jonathan Delano; everybody for your work and Terry and James, thank you so much for all your work and thanks to all the presenters and we'll be getting back together fairly soon. Thank you.